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THE EARLY OR EXCLUSIVELY ORIENTAL PERIOD OF GOVERNMENT EDUCATION, IN BENGAL

[BY REV. ALEXANDER DUFF]

1. *Miscellaneous East India Papers, ordered by the House of Commons, 1813.*
2. *Report from the Select Committee of the House of Commons on the affairs of the East India Company, with Appendices, 1832.*
3. *Holwell's Historical Events, Parts II and III.*
4. *The Despatches, &c. of the Marquess Wellesley, Vol. II. 1837.*
5. *Institutes of Manu, translated by Sir William Jones. New Edition.*

THE subject of native education is one, which, from its pre-eminent importance, it is our purpose successively to discuss in its varied bearings and relationships. The present series of papers may, therefore, be considered as altogether of a preparatory character. When the philanthropist casts his eye over the vast realm now subjected to British sway, he cannot but be deeply affected at the degraded and prostrate condition of its teeming inhabitants. As various measures for their amelioration present themselves to his view, he cannot but reflect, that, as intelligence and virtue have ever proved the grand *conservative* principles of society, so must the impartation of superior intelligence and moral virtue alone be fraught with *restorative* energy, in the case of a society that has practically slidden away from the dominion of both. Good Government and good laws will doubtless ever prove most powerful, if not indispensable, auxiliaries. But, what can such government and laws avail, when the great masses of the people, from lack of intelligence, are unable to appreciate their excellence, and

from a destitution of virtue, are equally disinclined to a willing and cheerful obedience? Education, therefore, a sound, wholesome, and well regulated education—as the mightiest instrument of intelligence and virtue,—soon forces itself on the meditative spirit, as a power of the first magnitude, and challenges unto itself a foremost position in the clustering series of ameliorative measures.

In further pondering on this theme, and with special reference to the adoption of plans of practical usefulness, the ques-/211/tion naturally suggests itself, what, in this respect, have the natives done for themselves? In other words, what is actually existing condition of indigenous education? To this important question we endeavoured, in a former number,* to furnish a satisfactory reply. From data of incontrovertible accuracy, the entire subject of native instruction was reviewed, both in regard to its *quantity* and *quality*, its *extent* and *distribution*. To that article we now refer the reader for the amplest details, exhibitiv of the *execrable nature* of the *quality* of indigenous instruction, throughout every department, whether elementary or learned. The entire system, both as to subject-matter and discipline, was shewn to be singularly fitted, not to invigorate but to paralyse the mental powers—not to purify and regulate but to deprave and mis-direct the moral energies. Moreover, it was fully shewn, that, had the system been as unexceptionable in its character and tendencies, as it is notoriously the reverse, it is fearfully inadequate in its *extent* and *distribution*. By a process of fair and legitimate induction, it was shewn that in “the most highly cultured district visited by the government commissioner, only 16 per cent. of the teachable or school-going population do actually receive *any kind or degree* of instruction at all; and in the least cultured district visited, only $2\frac{1}{2}$ per cent. receive any kind or degree of instruction;—while the *aggregate average* for all the districts is no more than $7\frac{3}{4}$ per cent.—leaving $92\frac{1}{4}$ of every 100 children of the teachable age, *wholly destitute of all kinds and degrees of instruction whatsoever!*” By a similar process, it was also

*See No. IV. Art. I.

fully shewn, with respect to the *adult* population, that "the *aggregate average* for all the districts is no more than $5\frac{1}{2}$ per cent.—leaving $94\frac{1}{2}$ of every 100 adults *wholly destitute of all kinds and degrees of instruction whatsoever?*" The conclusion, then, appeared inevitable, that the aggregate amount of educational destitution in this land is utterly appalling.

Omitting, for the present, all notice of the operations of Missionary and other Charitable Societies, the next question which naturally presents itself to the anxious mind, is, what has the British government, with its unrivalled power and ample revenues, achieved for the educational improvement of the people? To the answer of this question, as preliminary to more general discussions, we now apply ourselves—beginning with the *early or exclusively oriental** period of government education. /212/

The first institution for Native Education, established by the British Government in the presidency of Bengal, was the MADRISSA or MUHAMMADAN COLLEGE of Calcutta, in the year 1781. The request of several Muhammadans of distinction originated the idea of such an undertaking; to Warren Hastings, the Governor-General, belonged the whole credit or discredit of its accomplishment. With a munificence characteristic of the man, he provided for the intended College a building at his own expense. The sum, however, amounting to about *six thousand pounds*, was subsequently refunded to him by the Company. At his earnest recommendation also, lands were assigned by the Government, for the support of the institution, of the estimated value of about *three thousand pounds* annually.

What then, it may be asked, were the specific ends proposed by the Governor-General, in founding such an institution?—to introduce an improved literature and science, and thereby gradually rectify the errors, assuage the bigotry, and improve the character of the Mussalman population? Nothing of the

*By the term "oriental," as employed in these dissertations, is to be understood "*learned orientalism*," as contradistinguished from *vernacular* teaching. The abbreviated form of "oriental" is generally used, simply to prevent circumlocution.



kind. The only languages to be taught were the Arabic and Persian languages. The only subjects to be studied, were those already contained in Arabic and Persian works. Natural philosophy ; theology ; law ; astronomy ; geometry ; arithmetic ; logic ; rhetoric ; oratory ; grammar ;—all these were to be inculcated, not as re-cast and re-created in European moulds, but as elaborated in the mint of an antiquated and effete orientalism : while it was especially provided that every Sunday should be set apart for purifications and religious worship. By the adoption of such a course, the Governor, actuated merely by views of secular or political expediency, hoped, by gratifying their national tastes and predilections, to conciliate the haughty and obdurate followers of the prophet—mitigate their prejudices against those who had supplanted them in the sovereignty of these Indian realms—and contribute to the more successful administration of public affairs, by training up a superiorly qualified class of native officers, more especially, for the courts of justice.

In order to humour, if not flatter the pride of the Mussalmen, a member of their own community, Mahomed Moiz-u-din, was appointed superior and guardian of the Institution. In this officer was "vested the immediate management of all the affairs of the Madrissa and administration of its revenues. He was directed to deliver in to the Committee of Revenue, monthly statements of the number of students actually maintained on the establishment with their names and salaries. A member of the Committee of Revenue was authorized and /213/ enjoined, once in every three months or oftener, to visit the Madrissa, in order to see that the building was kept in proper repair, and that in all other respects the efficiency of the institution was maintained. The principal officer of the native courts of law was also instructed, that whenever vacancies should arise in the Foujdary courts, they should be filled from the students of the Madrissa, upon the production of certificates from the superior, that the individuals nominated by him were duly qualified for their respective appointments."

From such a system of management and superintendence

what could be expected? A genuine Asiaticised Maulavi in full charge of the revenual and educational affairs of an extensive institution! In those days, however, the real nature of such a being was not sufficiently understood. Experience had not yet shed its revealing light upon it. The mind was filled with gorgeous visions of the literary stars which blazed from the horizon to the zenith, in the days of the Caliphate. And who could tell, whether from these southern latitudes a constellation might not emerge, which in splendour would outdazzle and eclipse the hitherto unrivalled glories of the more northern skies of Bagdat and of Ghizni? These, alas, were dreams more worthy of the speculative and amusing philosophists of Laputa than of sober statesmen at the head of a great and still increasing empire. And, what was the result? In 1788, grievous complaints were lodged with the government of "great misconduct and mismanagement on the part of the superior?" The new Governor-General, Sir John Shore, then undertook the general reformation of the institution. What remedy did he propose? The most ineffective that could well be devised. The interior management was simply transferred from the former superior, who was found so incompetent and unworthy of trust, to another Maulavi, Mujid-u-din, the head preceptor. It was but an escape from the stagnant marsh into a swampy bog—as putrescent as it was stagnant. Three years had scarce elapsed, when in 1791, the institution was again discovered to be "in a state of disorder, and some of the students to be persons of most depraved characters." This disgraceful state of things being attributed to "the neglect of duty on the part of Mujid-u-din," he was removed from his situation. Surely experience will have succeeded in conveying its significant lesson now! No. Another branch is to be lopped off from the corrupt tree; but to the root of the tree itself the felling axe must not be laid. The mismanaging Maulavi is simply removed; and another of the same incorrigible race duly appointed in his stead! At /214/ length, however, the distemper appearing to prove incurable, it was resolved that the future government of the institution should be in the hands of "a committee of

superintendence, consisting of the acting president of the Board of Revenue, the Persian translator to government, and the preparer of reports, who were directed to meet at the Madrissa once in every two months, or oftener if required ; to see that the several persons there performed their duties, and to control all the expenses of the establishment ; also to frame regulations, subject to the confirmation of government." For a time, while the subject was recommended by all the attractions of novelty, the appointment of this Committee appeared to infuse something like new life and vigor into the somewhat rectified and partially re-modelled administration of affairs. But there was no reform, no attempted improvement in the *internal discipline, the modes of teaching, or the subject-matter of the studies*. All, all of these still presented, and were studiously designed to present, *the hue, aspect, and substance of a pure, unmixed, undiluted orientalism,—cast and fashioned in the most genuine Arabic mould !*

The *next* institution for native education established by the British government, was the Sanskrit College of Benares. It was originally projected in 1791, by Jonathan Duncan, Esq., then the British Resident at Benares, the holy city of the Hindus. The expense for the first year was limited to *fourteen* thousand rupees ; but on the year following, it was augmented to *twenty* thousand ; at which amount it has continued down to the present time. It was designed and expected to accomplish for the Hindus those ends of policy which the Calcutta Madrissa was intended to achieve for the Mussalman population. To prevent, however, any possible mistake on this important head, we shall here quote the authoriatative summary furnished by Mr. Fisher from the official documents deposited in the archives of government :—

"The object of this institution was *the preservation and cultivation of the laws, literature and RELIGION* of the Hindus (and more particularly their laws) in their sacred city ; a measure which it was conceived would be equally advantageous to the natives, and honourable to the British government among them.

"The establishment originally consisted of a head-pundit or rector, eight professors ; nine students who enjoyed salaries ; with book-keepers, writers, peons, &c. The Governor-General was constituted visitor, and the resident his deputy. Besides the scholars on the foundation, and a certain number of poor children who were to receive instruction gratis, the institution was open to all persons who were willing to pay for instruction : the teachers and students to hold their places during the pleasure of the visitor. *All /215/* the professors, except the professor of medicine, to be *Brahmans*. The *Brahmans* to have preference in succession to the office of rector, or to professorships. Four examinations in the year to be held before the resident. Each professor to compose annually for the use of his students, a lecture on his respective science. Examinations into the *most sacred branches of knowledge* to be made by a committee of *Brahmans*. Courses of study to be prepared by the professors. *The internal discipline to be in all respects conformable to the Dharma Shastra, in the chapter on education.*

"The prescribed course of study in this college to comprehend, — *Theology ; ritual ;* medicine, botany ; music ; mechanic arts ; grammar, prosody ; and sacred lexicography ; mathematics ; metaphysics ; logic ; law ; history ; ethics ; philosophy and poetry."

And while the entire staple or subject-matter of instruction in the new institution was to consist of the antiquated errors and impieties which ages of dominant heathenism had accumulated in the reservoirs of Sanskrit lore, it is worthy of special note that even "the internal discipline was to be *in all respects* conformable to the *Dharma Shastra*, in the chapter on education."

The inquisitive reader may be curious to know the nature and character of an educational discipline, which, towards the latter end of last century, commanded the reverence, as it obtained the official sanction, of the supreme government of British India. Turning to the *Dharma Shastra*, to the chapter on education, we there find the entire system of discipline duly prescribed, on an authority, which every sincere Hindu must believe to be infallible and divine. Like everything else connected with the Hindu

ceremonial, it descends into minuteness that cast over the whole the air of a ludicrous puerility.

Amongst other things it is ordained that the Brahmanical student must wear for his mantle, the hide of a black antelope, common deer, or goat, with lower vests of woven *sana*. His girdle must be made of *munja*, in a triple cord, smooth and soft ; but if the *munja* be not procurable, the zone must be formed of the grass *cusa*. His sacrificial thread must be made of cotton, so as to be put on over his head, in three strings. He must carry a staff of *vilva* or *Palasa* ; which must be of such length as to reach his hair, straight, without fracture, of a handsome appearance, not likely to terrify men, with its bark perfect, unhurt by fire.

Thus provided with his leathern mantle, girdle, sacrificial thread, and staff, the student standing opposite to the sun, must next thrice walk round the fire from left to right, and perform, according to law, the ceremony of asking food. His first petition, prefaced with the respectful word *Chavati*, must be addressed to his mother, or sister, or mother's whole sister, or some other female who will not disgrace him. Having collected as /216/ much of the desired food as he has occasion for, and presented it without guile to his preceptor, he is then to eat some of it, being duly purified. If he seek long life, he should eat with his face to the east ; if exalted fame, to the south ; if prosperity, to the west ; if truth and its reward, to the north.

He must beware of giving any man what he leaves ; and of eating any thing between morning and evening : he must also beware of eating too much, and of going any whither with a remnant of his food unswallowed.

Before and after meals, as well as on many other occasions, the student must carefully perform his ablutions. This is to be done with the pure part of his hand, which is under the root of the thumb, and with water neither hot nor frothy, standing in a lonely place, and turning to the east or to the north. He is first to sip water thrice ; then twice wipe his mouth ; and lastly, sprinkle with water the six hollow parts of his head, or his eyes, ears, and nostrils.

Thus clad, fed, and purified, the student is so far prepared for the instructions of his preceptor. But there are still other essential preliminaries. At the beginning and end of the lecture, he must, with crossed hands, always clasp the feet of his tutor, touching the left foot with his left, and the right, with his right. He must also, at the commencement and close of a lecture on the Veda, always pronounce to himself the syllable *om* ; for, unless the syllable *om* precede, his learning will slip away from him ; and, unless it follow, nothing will be long retained. But the utterance of a syllable endowed with a quality so mysterious, and yet so utilitarian, must not be lightly gone about. No ! If the student have sitten on culms of *cusa* with their points towards the east, and be purified by rubbing that holy grass on both his hands, and be farther prepared by three suppressions of breath, each equal in time to five short vowels, he may then fitly pronounce *om* ! Thus prepared he may next commence his reading ; taking special care, however, that he read with both his hands closed. And this is called scriptural homage.

Another essential part of the student's discipline consists in the periodical repetition, after the prescribed form, of the ineffable text, called the *gayatri*. At the morning twilight, in particular, he is to stand repeating it until he see the sun ; and at evening twilight, he is to repeat it sitting, until the stars distinctly appear. The due utterance of it is attended with the removal of sin and the cleansing from all impurities.

Day by day, having bathed and being purified, he is to offer fresh water to the Gods, the Sages, and the Manes ; to shew /217/ respect to the images of the deities, and bring wood for the oblation of fire. He is to abstain from honey, from flesh meat, from perfumes, from chaplets of flowers, from sweet vegetable juices, from all sweet substances turned acid, from injury to animated beings, from unguents for his limbs, from black powder for his eyes, from wearing sandals and carrying an umbrella, from dancing, and from vocal and instrumental music. He is daily to carry water-pots, flowers, cow-dung, fresh earth and *cusa* grass, as much as may be useful, to his preceptor. He is constantly to sleep alone, and on a low bed.

The student is daily to perform the duty of a religious mendicant, and to receive his food by begging ;—being careful to receive none from persons deficient in performing the sacrifices and other duties which the Vedas ordain, or from cousins of his preceptor, or from his own cousins, or from other kinsmen by the father's or the mother's side. Daily too, must he bring logs of wood from a distance, and placing them in the open air, make an oblation to fire without remissness.

In the presence of his preceptor, the student must always eat less, and wear a coarser mantle with worse appendages. He must rise before and go to rest after his tutor. He must not answer his teacher's orders, or converse with him, reclining on a bed, nor sitting, nor eating, nor standing, nor with an averted face. He must both answer and converse, if his preceptor sit, standing up ; if he stand, advancing toward him ; if he advance, meeting him ; if he run, hastening after him ; if his face be averted, going round to front him, from left to right ; if he be at a little distance, approaching him ; if reclined, bending to him ; and if he stand ever so far off, running toward him. He must never pronounce the mere name of his tutor, even in his absence ; not ever mimic his gait, his speech, or his manner. By censuring his preceptor, though justly, he will in the next birth, become an ass ; by falsely defaming him, a dog ; by using his goods without leave, a small worm ; by envying his merit, a larger insect or reptile. He must not sit with his preceptor to the leeward, or to the windward of him. But he may sit with his teacher in a carriage drawn by bulls, horses, or camels ; on a terrace, on a pavement of stones, or on a mat of woven grass ; on a rock, on a wooden bench, or in boat !*

But enough. These specimens will suffice to indicate the distinguishing *spirit* of the internal discipline to which the students, all of the Brahmanical order, must in all respects conform. The subjects taught were worthy of the discipline, and /218/ the discipline worthy of the subjects taught. Between these there was a perfect harmony—a fitting congruity ;—both being essentially Oriental, and therefore essentially formalistic

* See Institutes of Manu.

and heathenish in their character. So that here was another College launched into being, under the auspices of British authorities, for the exclusive inculcation of a *pure unmixed, undiluted orientalism*, in its varied *unimproved* forms of Science and Literature, Philosophy and Theology, Medicine and Law—as cast and fashioned in the *most genuine Sanskrit mould* !

While two of the mightiest anti-christian systems that ever scourged the earth or shed a baleful influence on the immortal destinies of man, were thus rising into new life and vigour under the fostering patronage of nominal British Christians in the east, the small but chosen and faithful band of worthies, who had survived the general paralysis of Protestant evangelical Christianity in the west, were striving to break down the barriers, and let in a stream of living waters on India's chafed and thirsty soil. The leaders, who signalized themselves in this noble enterprize, were Mr. Charles Grant, father of the present Lord Glenelg, and the celebrated Mr. Wilberforce. As the subject of renewing the East India Company's Charter was to come before the Imperial Legislature in 1793, the former of these gentlemen, in the preceding year, prepared an elaborate treatise for the special private perusal of the President of the Board of Control, then the Right Hon'ble Mr. Dundas, afterwards Lord Melville, and the Hon'ble the Court of Directors. In this most able dissertation, the author presents a luminous view of British Territorial Administration in the East—of the state of society among the Hindu subjects of Great Britain, particularly with respect to morals—and of the causes which have produced the present situation and character of the Hindus. These discussions he follows up by a special inquiry into the measures which might be adopted by Great Britain for the improvement of the condition of her Asiatic subjects. Amongst other measures he pleads most earnestly, argumentatively, and eloquently, for the introduction of sound European knowledge, and especially, the elevating truths of the Christian faith. And after having repelled the arguments of his opponents, and successfully exposed their wretched fallacies, he thus concludes in a strain, at once calm, dignified, and solemn :—

"He (the author) will not allow himself to believe, that when so many noble and beneficial ends may be served by our possession of an empire in the East, we shall content ourselves with the meanest and the least, and for the/219/sake of this, frustrate all the rest. He trusts we shall dare to do justice, liberal justice, and be persuaded, that this principle will carry us to greater heights of prosperity, than the precautions of a selfish policy. Future events are inscrutable to the keenest speculation, but the path of duty is open, the time present is ours. By planting our language, our knowledge, our opinions, and our religion, in our asiatic territories, we shall put a great work beyond the reach of contingencies ; we shall probably have wedded the inhabitants of these territories to this country ; but at any rate, we shall have done an act of strict duty to them, and a lasting service to mankind.

"In considering the affairs of the world as under the control of the Supreme Disposer, and those distant territories, as by strange events, providentially put into our hands, is it not reasonable, is it not necessary that we might diffuse among their inhabitants, long sunk in darkness, vice, and misery, the light and the benign influences of truth, the blessings of well-regulated society, the improvements and the comforts of active industry ? And that in prudently and sincerely endeavouring to answer these ends, we may not only humbly hope for some measure of the same success which usually attended serious and rational attempts, for the propagation of that pure and sublime religion which comes from God, but best secure the protection of his providential government, of which we now see such awful marks in the events of the world.

In every progressive step of this work, we shall also serve the original design with which we visited India, that design still so important to this country ;—the extension of our commerce. Why is it that so few of our manufactures and commodities are vended there ? Not merely because the taste of the people is not generally formed to the use of them, but because they have not the means of purchasing them. The proposed improvements would introduce both. As it is, our woollens, our manu-

factures in iron, copper, and steel, our clocks, watches, and toys of different kinds, our glassware, and various other articles, are admired there, and would sell in great quantities if the people were rich enough to buy them. Let invention be once awakened among them, let them be roused to improvements at home, let them be led by industry to multiply, as they may exceedingly, the exchangeable productions of their country, let them acquire relish for the ingenious exertions of the human mind in Europe, for the beauties and refinements endlessly diversified, of European art and science, and we shall hence obtain for ourselves the supply of four and twenty millions of distant subjects. How greatly will our country be thus aided in rising still superior to all her difficulties ; and how stable, as well as unrivalled, may we hope our commerce will be, when we thus rear it on right principles, and make it the means of their extension ? It might be too sanguine to form into a wish an idea most pleasing and desirable in itself, that our religion and our knowledge might be diffused over other dark portions of the globe, where nature has been more kind than human institutions.—This is the noblest species of conquest ; and wherever, we may venture to say, our principles and language are introduced, our commerce will follow.

“To rest in the present state of things, or to determine that the situation of our Asiatic subjects, and our connection with them, are such as they ought to be for all time to come, seems too daring a conclusion : and if a change, a great change be necessary, no reason can be assigned for its commencement at any future period, which will not equally, nay, more strongly recommend its commencement now. To say, that things may be left to their own course, or that our European settlements may prove a sufficient nursery of moral and religious instruction for the natives, will be, in effect, to declare, that there shall be no alteration, at least, no effectual and safe one. /220/

“The Muhammadans, living for centuries intermixed in great numbers with the Hindus, produced no radical change in their character, not merely because they rendered themselves disagreeable to their subjects, but because they left those sub-



jects, during that whole period, as uninstructed in effectual points as they found them. We are called rather to imitate the Roman Conquerors, who civilized and improved the nations whom they subdued, and we are called to this, not only by the obvious wisdom which directed their policy, but by local circumstances, as well as by sounder principles and higher motives than they possessed.

"The examples also of modern European nations pass in review before us. We are the fourth of those who have possessed an Indian empire. That of the Portuguese, though acquired by romantic bravery, was unsystematic and rapacious; the short one of the French was the meteor of a vain ambition; the Dutch acted upon the principle of a selfish commercial policy; and these, under which they apparently flourished for a time, have been the cause of their decline and fall. None of these nations sought to establish themselves in the affections of their acquired subjects, far from supporting them, rejoiced in their defeat. Some attempts they made to instruct the natives, which had their use; but sordid views overwhelmed their effects. It remains for us to shew how we shall be distinguished from these nations in the history of mankind; whether conquest shall have been in our hands, the means, not merely of displaying a government, unequalled in India for administrative justice, kindness, and moderation; not merely of increasing the security of the subject and prosperity of the country, but of advancing social happiness, of meliorating the moral state of men, and of extending a superior light, further than the Roman eagle ever flew.

"If the novelty, the impracticability, the danger of the proposed scheme be urged against it, these objections cannot all be consistent; and the last, which is the only one that could have weight, presupposes success. In success would be our safety, not our danger. Our danger must lie in pursuing, from ungenerous ends, a course contracted and illiberal; but in following an opposite course, in communicating light, knowledge, and improvement, we shall obey the dictates of duty, of philanthropy, and of policy. We shall take the most



rational means to remove inherent, great disorders, to attach the Hindu people to ourselves, to ensure the safety of our possessions, to enhance continually their value to us, to raise a fair and durable monument to the glory of this country, and to increase the happiness of the human race."* /221/

*An original copy of this most masterly performance, as printed for the use of the Court of Directors and of private connections—the presentation gift of the author, 3rd June 1822, to Sir Henry Blosset one of the Judges of the Supreme Court, Calcutta—has fallen into the hands of the present writer. At the commencement, there are two MSS. pages, in the handwriting of the venerable author, which, as they portray the origin, object, and success of the work, we may here transfer entire :—“This tract was originally undertaken in the year 1792, with a view to conciliate the Indian authorities of that time, in favour of admitting into the new charter, then about to be granted to the India Company, a clause authorizing the promulgation of Christianity by European Protestant Missionaries among the subjects of Great Britain in the East. The task was attempted at the earnest desire of some respected friends without the least previous intention or preparation, and it was hastened through, lest it should be too late for its object. It was communicated in manuscript to the late Lord Melville, then President of the Board of Control, and might have a little contributed to induce him to agree to certain resolutions introduced in the House of Commons early in 1793, recognizing the duty of this country to communicate moral and religious instruction to the Natives of its Asiatic dominions; but subsequent measures, taken by persons hostile to the dissemination of Christianity in these dominions, prevented the insertion of any such clause in the charter. The subject however had begun to attract some notice, and the writer thinking it particularly his duty, from his local acquaintance with India, and his becoming a member of the Court of Directors of the India Company, to advocate this cause, he in the year 1797, laid his tract, in a measure corrected and enlarged, before that body. But the Court did not take the subject of it into any formal consideration. The opposition which had before appeared in that quarter still continued, and manifested itself against some private Missionary attempts which had been commenced, as well as in some publications which those attempts had produced. This tract, therefore, though it had been seen by various individuals, remained dormant in the India House till the year 1813, when on the occasion of another renewal of the Company's Charter, and another attempt (which ended more successfully) to introduce into it the principle of communicating

The services rendered by Mr. Wilberforce were of a more public character—though aided and implemented throughout by the invaluable private exertions of his untiring friend Mr. Grant. Respecting the intellectual and moral improvement of our Asiatic fellow-subjects, a spirit of lethargy had seized, and a deep indifference had settled down upon the national mind. From this torpor and unconcern he now strove to awaken it. But the chief arena for this battle of disinterested philanthropy, was the Commons House of Parliament. There on the 14th May, 1793, he brought forward the momentous subject in the form of a series of resolutions.* These were at first /222/ more favourably received than could well have been anticipated. They were agreed to in committee, and entered on the Journals of the House ; Mr. Dundas having promised his official support.

moral and religious light to our Asiatic subjects, it was called for among many other documents by the House of Commons, and thence acquired somewhat more of publicity. But in the course of twenty years which had elapsed from the time it was first penned, many treatises had been published in favor of promulgating the Gospel in the East—treatises written when the subject had received a more general consideration, and with the advantage of much additional knowledge of the state and people of India. To render this thing at all worthy of the public attention, it required in the writer's opinion to be wholly recast, and adapted to existing circumstances ; and having had some thought of this sort, he had collected many new materials, but a variety of other engrossing affairs, during a succession of years, superseded all such ideas. And now at the end of thirty years it can be only the partiality of a few kind friends that can view so obsolete a performance as in any degree interesting ; but at the desire of one of these, to whom it is not easy to refuse any thing, this copy, one of the number originally printed for the use of the India House and of private connections, is confided to the candour of Sir Henry Blosset, with best wishes for his health and happiness by the writer."

*As these Resolutions may not be known to many of our readers we shall here insert them entire :—

"And whereas such measures ought to be adopted for the interest and happiness of the native inhabitants of the British dominions in India, as may gradually tend to their advancement in useful knowledge, and to their religious and moral improvement :

Be it therefore further enacted, that the said Court of Directors shall

Speedily, however, was the craven note of alarm sounded in the Council Chambers of Leadenhall Street. The Directors met. After deliberation, the proposed clauses were "strongly reprobated." Such opposition in those days carried with it a preponderant weight. The effect, accordingly, was soon seen "in the altered tone which Mr. Dundas assumed." But the hero of the Slave Trade Abolition was not to be daunted. He strenuously maintained his ground to the last. At the same time, his public appearances and appeals were characterized by the greatest moderation and sobriety. "It is not meant," argued he, "to break up by violence existing institutions, and force our faith on the natives of India, but gravely, silently, and systematically to prepare the way for the gradual diffusion of religious truth. Fraud and violence are directly repugnant to the genius and spirit of our holy faith, and would frustrate all attempts for its diffusion. To reject this measure would be to declare to the world that we are friends to Christianity, not because it is a revelation from heaven, nor even because it is conducive to the happiness of man, but only because it is

be and are hereby empowered and required to appoint and send out, from time to time, a sufficient number of fit and proper persons for carrying into effect the purposes aforesaid, by acting as schoolmasters, missionaries, or otherwise ; every such person, before he is so appointed or sent out, having produced to the said Court of Directors a satisfactory testimonial or certificate from the Archbishop of Canterbury, or the Bishop of London for the time being, or from the Society in London for the promotion of Christian knowledge, or from the Society in Scotland for propagating Christian Knowledge, of his sufficiency for these purposes.

"And be it further enacted, that the said Court of Directors are hereby empowered and required to give directions to the governments of the respective presidencies in India, to settle the destination and to provide for the necessary and decent maintenance of the persons so to be sent out as aforesaid ; and also to direct the said governments to consider of and adopt such other measures according to their discretion, as may appear to them most conducive to the ends aforesaid.

"Provided always, and be it further enacted, that if any person so sent out as aforesaid shall at any time prove to be of immoral life and conversation, or shall be grossly negligent or remiss in the discharge of

the established religion of this country. In India we take equal care of Hinduism ; our enlarged minds disdain the narrow prejudices of the contracted vulgar ; like the ancient philosophers, we are led by the considerations of expediency to profess the popular faith, but we are happy in an opportunity /223/ of shewing that we disbelieve it in our hearts and despise it in our judgments. Beware how this opinion goes abroad." All his pleadings and remonstrances, however, eventually failed. The star of the India House was completely in the ascendant ; and a "disastrous twilight" must now be shed for another quarter of a century over half the eastern nations. "My clauses," says he, "thrown out—Dundas most false and double ; but, poor fellow ! much to be pitied." And again, "The East India Directors and Proprietors have triumphed—all my clauses were struck out on the *third* reading of the Bill, (with Dundas' consent !! this is *honour*) and our territories in Hindustan,

the duties of the station to which he shall have been so appointed, or shall engage, directly or indirectly, in any trade whatsoever, or shall accept of and hold any office or employment, public or private, other than that to which he shall have been so appointed, the governments of the respective presidencies shall be and they are hereby required to remove him from his employment, and send him back to Great Britain ; and the act of government in so doing shall be final and conclusive, and shall not be examinable in any court of law whatsoever.

"And that due means of religious worship and instruction may also be provided for all persons of the Protestant communion in the service or under the protection of the said company ; Be it enacted that the said Court of Directors shall be and are hereby empowered and required, from time to time to send out and maintain in their several principal garrisons and factories, a sufficient number and supply of fit and proper ministers ; and also to take and maintain a chaplain on board every ship in the service or employment of the said Company, being of the burthen of 700 tons or upwards : and that every charter-party to be entered into by the said Company for any ship of the burthen aforesaid, or any greater burthen, shall contain an express stipulation for the said Company to nominate and send on board such ship a chaplain for the purposes aforesaid, at their nomination and expense. Provided always, that no such minister or chaplain shall be so appointed or sent out until he shall first have been approved of by the Archbishop of Canterbury or the Bishop of London for the time being."



twenty (now a hundred and twenty) millions of people included, are left in the undisturbed and peaceable possession, and committed to the providential protection of—Brahma !”*

Thus closed the eighteenth century on our growing empire in Asia. How strangely contrasted with the scenes exhibited in Europe at the same point and crisis of contemporaneous history ! While in the west, the hurricane of revolution was sweeping with resistless energy over the fairest of its regions—shattering and rooting out the stablest of its institutions, social, civil, and religious—and threatening speedily to engulf, in its whirling eddies, alike the forms of antiquated error, the goodliest fruitage of surviving sacredness, and the noblest monuments of eternal truth ;—in the east, the mantle of a worse than mediæval night was fast settling down, in all the sullenness of a gathering gloom—while the hoary spirit of an unchanging conservatism, under the rising star of British ascendancy, was fast reviving and re-animating the shrunken forms of those ghostly systems of impiety, superstition, and error, which for ages had overshadowed these orient realms with their darkening and malignant blight.

A contrast so strange—a phenomenon so singular—may well excite surprise. How are we to account for it ? How came the spirit of a wild and rampant destructionism in the west to be transmuted into the spirit of a blind unthinking conservatism in the east ? How came men, bearing the Christian name, and still professing allegiance to the Divine Founder of Christianity, so willingly to lend themselves as instruments in upholding and perpetuating systems so irreconcilably repugnant to the entire genius, scope, and end of the Christian faith ?

Something of a palliative character may be alleged on the /224/ score of a comparative ignorance of the real nature, workings and tendencies of these Anti-Christian systems. The repositories, in which they had long been locked up and concealed from the gaze of the European world, had not then been so searchingly explored, nor their contents so thoroughly

*See Wilberforce's Life, by his Sons, vol. ii.



excavated and laid bare, as they have been since by a succession of the profoundest investigators. Inacquaintance with their real nature, and inexperience of their practical value, had led to an enormous over-estimate of the intrinsic importance of these oriental treasures. And the veil of a huge but fascinating illusion having once overspread the eyes of men, the removal of it could not be expected to be the work of a day, nor, in the end, could the spell be broken but with extreme reluctance, nor the enhancement give way to aught but the overpowering glare of light and truth.

Much also of a palliative character may be attributed to the *sincere but timorous and mistaken spirit of a temporizing political expediency*. So long as the British were mere subjects without a fragment of sovereign power, theoretically recognized to a certain extent the duty of imparting instruction to the natives,* not only in secular knowledge, but in the saving truths of Revelation. But no sooner had the subject-merchants found themselves, in the evolutions of a mysterious providence, metamorphosed into sovereign princes, than their views of responsibility and duty underwent a total revolution. Nor was this change of sentiment confined to the singular race of "Nabobs," or "Old Indians" alone,—of men, who had sunk the manliness of the European character in the effeminacy of the Asiatic—depositing what little of Christianity they ever

*The following extract from the charter granted in 1698, by William III. will furnish authoritative evidence of this fact :—

"And we do hereby further will and appoint, that the said Company, hereby established, and their successors, shall constantly maintain one minister in every garrison and superior factory, which the same Company or their successors shall have in the said East Indies, or other the parts within the limits aforesaid, &c."

"And we do further will and appoint, that *all* such ministers as shall be sent to reside in India, as aforesaid, shall be obliged to learn, within one year after their arrival, the Portuguese language, and shall apply themselves to learn the native language of the country where they shall reside, the better to enable them to instruct the Gentoos, that shall be the servants or slaves of the Company, or of their agents, in the Protestant religion, &c."

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possessed, at the shrine of a rampant heathenism—exchanging the comprehensive maxims of an enlightened policy for the contracted dotages of Oriental despotism—and merging the austerity of once purer morals into the sanctities of the Zenana. No!—these altered views were taken up and affiliated by all the leading statesmen of the day. Deadened, under the blight of an epidemic rationalism, in their own sense of duty towards the God of heaven, they became blind or indifferent to the charge of their highest duties towards their fellow men. Filled with aversion, distaste, or positive enmity towards the spiritualities of the Christian faith, they instinctively concluded that all other men must be surcharged with similar antipathies. The Divine exhortation, “Seek ye *first* the kingdom of God and his righteousness, and all other things shall be added unto you,” being, in the alembic of their carnalized affections, transmuted into this other and contrary maxim, “Seek ye *first* the kingdoms of this world, with their riches and honours, glory and power, and let all other things connected with the kingdom of God and his righteousness provide for themselves”—why should they strive to press on the reluctant inclinations of others what they had decided on repudiating for themselves? To do so would be not merely to act inconsistently with their own personal convictions and practices, but to provoke opposition and thereby endanger the stability of their rising empire! Thus replenished with hollow misgivings, fears, and alarms—the growth and offspring mainly of hearts, whose faithlessness to the interests of eternity rendered them oblivious of the best interests of time—they beheld, or idly dreamt they beheld, these misgivings, fears, and alarms reflected back upon them, as apparitions, in the shadow of every cloud; or heard, or idly dreamt they heard them echoed, as ghostly sounds, in the rustling of every leaf, and murmured in the whisperings of every breeze. In the moral and religious enlightenment of the natives, and especially their conversion to the Christian faith, were discerned all the seeds of future peril, anarchy, and ruin! These time-serving sentiments at length found a formal and authoritative utterance. In a

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manifesto signed by a Governor-General of India, and all the members of his Supreme Council, we find these words :—

"While the British Government in India continued to be a subordinate power, the efforts of—in the work of conversion, were not likely to excite among the natives of India any apprehensions either of the disposition or the power of the British Government to impair the stability of the prevailing systems of religion. In the present ascendancy of the British power in India, however, the natives may naturally be led to apprehend that the augmented efforts of—exercised under the immediate protection of the Government, are supported and encouraged by its authority. They may be induced to imagine that the possession of unrivalled power, of a dominion extending over a great proportion of the continent of Hindustan, and of an ascendant influence or control over all the primary states of India, may suggest the accomplishment of an object, which the comparative inferiority of our power and /226/ influence hitherto excluded from the contemplation of Government,—the gradual substitution of its religion for the actual religion of its subjects. Under these circumstances, therefore, the labours of—are calculated in a far greater degree to excite alarm among our native subjects than they were at any former period of time." True,—all very true—cordially responds the Right Honorable the President of the Board of Control, backed by the whole body of his fellow Commissioners, and the Honorable the Court of Directors. True—all most true, sagacious, prudent, and just.—

"The paramount power which we now possess in India, undoubtedly demands from us additional caution upon this subject ; it imposes upon us the necessity, as well as strengthens our obligation, to protect the natives in the free and undisturbed profession of their religious opinions ; and to take care that they are neither harassed nor irritated by any premature or over-zealous attempts to convert them to Christianity." And thus, on the lowest views of a narrow, worldly, self-aggrandizing expediency, all knowledge is denied of that sovereign panacea which its all-wise and all-gracious Author designed for "the healing of the nations !"

Besides the palliatives to be found in the comparative ignorance of the oriental systems, and the natural but mistaken views of political expediency, much also may be fairly attributed to *the predominant spirit and tendencies of the age*. True, the effects or results exhibited on the stage of the Eastern world were not merely, to outward appearance, diverse from but actually opposed, in their essential nature and character, to those exhibited on the stage of the Western. But a narrower scrutiny may suffice to shew that, however apparently diverse or even opposite, such effects may have resulted from varied modifications of one and the same generic cause.

The Reformation,—by letting in the streams of ancient classic Literature, in all their beauty and grandeur, on regions of intellect that had become exhausted under the threadbare entities and quiddities of scholastic disputation, and the insipid legends and alliterations of monkish lore,—had given a new direction to the literary taste of Europe, imparted a mighty impulse to its latent genius, and rendered the soil of its reason, intelligence, and fancy, prolific of the noblest growths. But two centuries of incessant and widely diffusive labour had done for the classics all that could well be done, and extracted out of them all that could well be extracted. All ancient manuscripts had been collated, digested, classified and arranged. All the various readings had been accurately determined. Grammars, dictionaries, annotations, and commentaries without number /227/ had been composed. The orthography, etymology, syntax and prosody, of almost every single word and sentence, with the punctuation, accents and digammas, had been discussed to very weariness, and elaborately settled. The claims and pretensions, merits and demerits, beauties and sublimities of the different authors had formed the studies of ten thousand schools, and the themes of ten thousand thousand dissertations,—till every subject had become trodden and bare as the most frequented thoroughfares of a great metropolis, and as scarped and unproductive of new fruits, as the calcined cliffs of the Arabian desert. Under the incumbent weight of such endless monotonies and repetitions, the universal mind had become wearied ; under the

unceasing flow of such unvaried sweetnesses, the universal taste had become satiated and palled. The universal soul of Europe seemed to sigh for something new, something fresh, something original, something exciting,—to awaken its drowsed feelings, whet its blunted curiosity, and stimulate its jaded appetite. Now, when any sentiment or idea, however dimly perceived, any want or longing, however vaguely felt, becomes general, all-pervading, some master spirit or spirits usually appear—at once the products of their age and the producents of its permanent character—to give such sentiment or idea, such want or longing, as its organs and representatives, a clear and definite expression. Once clearly and definitely expressed, myriads of minds instantly recognize it as an embodiment of what they themselves had obscurely perceived, or felt, or longed for ; myriads of voices are ready eagerly and joyously to shout, Amen.

Such, we doubt not, was one ingredient at least in the real secret of the fatal and unparalleled success which attended the writings of Rousseau and his literary associates. Deeply imbued with the spirit, and sighing under the felt wants of his age, this child of passion and creature of impulse burst through all time-honoured and merely conventional restraints. Themes and modes of treatment, long stale and hacknied, he totally eschewed. His own heart being stired up from its lowest depths, the effusions of a glowing yet morbid sensibility were poured forth, in impetuous torrents, over an arid and thirsty soil.

Never apparently did more turbid or pellucid streams unite in swelling the volume of the same current. Gushes of noble and generous enthusiasm, interchanged with jets of moody and sullen misanthropy ; the coldness and gloom of a dismal scepticism, ever and anon contrasted with the warmth and radiancy of a sentimental pietism ; the throes and pangs of general /228/ humanity agonizing in hopeless travail, heard dolefully to resound amid dreams and visions of the indefinite perfectibility of man ; nature now mantling with the glow and ardour of love, and peopled with the forms of ideal beauty, and then groaning beneath the influence of some malignant energy

that converts her into a tomb for the scattered wrecks of things that were ; the wildest ravings of infuriate passion, shaded and soberized by the reflections of a calm and emotionless reason ; the most egregious and pernicious fallacies, holding fond dalliance with long established but neglected truths ; the most stirring appeals, fitted to arouse ingenuous and enkindle sensitive natures, commingled with addresses to all that is low, degrading, and debasing in the propensities of a corrupt society ;—such, such was the strangely mixed and chaotic character of the effusions of the man, who, saturated with the spirit and wants of his age, boldly rose to give them articulate utterance, and was, in consequence, indolatrously hailed as a beacon and luminary, not of that age only but of all future epochs. But, wild, extravagant and incongruous as they were, they came streaming forth, over a dry and parched land, with such an imposing air of freshness and novelty, arrayed in the drapery of such an enchanting eloquence, and resplendent with the corruscations of such a sparkling genius, as to captivate and entrance half the nations.

Now, men of education and literary accomplishments, imbued in different degrees with the peculiar spirit and wants of their age, had gone forth to India, but unendowed with those commanding powers that could distinctly articulate their own thoughts and feelings, or create for themselves new schools of literature and philosophy to supersede the old. Here, however, was the very turning point, or rubicon, which determined their future destinies. What Rousseau and his co-adjutors achieved, by the emanations of original genius, for the literary republics of the West, the European adventurers on the plains of India found already achieved for them by the poets and sages of that gorgeous land. When the portals which, for unknown centuries, had guarded the entrance to these flowery realms, were thrown wide open, it seemed like the revealing of new gardens of delight,—the discovery of new and more glorious worlds. It seemed as if the fountains of the great deep of an unfathomable antiquity had been broken up,—disclosing pearls of inestimable price. It seemed as if the primeval sources,

whence had welled forth such copious rills of story and heroic song—of language, philosophy, and science—among the western nations, had been unsealed. It seemed as if the innermost /229/ shrine of all ancient heathen wisdom, with its recondite lore and mystic symbolisms, had been at length unveiled.

On the minds of the first discoverers and explorers, wearied and worn out with the stale and impoverished forms of occidentalism, and panting for the excitements of novelty, all this operated with a vertiginous and intoxicating effect. The whole seemed as new, so fresh, so original, so unlike all the antiquated types and models of the West, that the mind was at once aroused and enraptured. The very wildness, grotesqueness, and extravagance of these ancient compositions, yea, even their very monstrousness, had inexpressible charms; since these rare and unique qualities only tended to call into vigorous play the inventiveness of ingenuity, in fabricating an enormous machinery of symbols, allegories, and hieroglyphs, for the purpose of illustrating the obscure, illumining the dark, expounding the unintelligible, verifying the fabulous, and reconciling the contradictory. Under the delirium of these earlier ecstasies, men were found who seriously could declare, that the *Iliad* and *Odyssey* were wholly out-dazzled, by the *Ramayana* of Valmiki and *Mahabharat* of Vyasa—that many of the grandest scenes in Milton's *Paradise Lost* were too gross and ludicrous, and many of its sublimest passages "conceits truly diabolical," as compared with the consistent incidents and stupendous imagery of these and other giants of Indian song!—that the philosophies of Greece and Rome were tame and puerile, superficial and unsatisfactory, compared with the profound mysticisms and uninterpolated speculations of Gautama and other orient sages! No wonder, though, under the predominant influence of such erroneous yet bewitching and fondly cherished impressions, orientalism, in all its forms and manifestations, became the idol of the politic statesman, the all-engrossing object of pursuit to the learned, the principal theme of investigation to their societies, and the main staple of instruction in all their colleges and schools.

And what was true of the long prevailing literature of Europe, appeared substantially true of its long established religion. The latter, towards the middle of last century, became practically effete and decrepit like the former. The mighty impulse of the Lutheran Reformation had gradually diminished in its intensity ; the advancing waves of a triumphant Protestantism, first rolling heavily, then became sluggish,—next stationary,—and last of all recessive, before the resuscitated, revived, and rapidly encroaching power of its old antagonist—an unchanged and unchanging Popery. And what was the natural if not inevitable result ? As the shadows of a baleful superstition /230/ with its thousand senseless and irksome mummeries, began to thicken over Romish and re-romanized lands, the oppressed and manacled spirit of man sighed for emancipation. Then, faithful to the law of manifestation when the spirit of the era is ripe for expression, appeared Voltaire and his myrmidons, as the organs and spokesmen of the restless and atheistic spirit of the age. They opened their mouths in ridicule, in sarcasm, in scorn, in blasphemy against the Lord and his Anointed. But their speech was brilliant ; and, lost in the glare of its brilliance, multitudes rapturously responded in shouts of applause. The leaders persevered ; and, as they persevered, they increased in brilliancy and strength. Their wit was like the winged lightning ; and their eloquence like the rolling thunder. Theirs was scarcely a campaign at all ; it was a continued march and triumph. Before them the hierarchies and the bulwarks of a giant superstition melted away ; institutions, consolidated by the lapse of ages, vanished out of view ; and the cities of the nations fell.

In Protestant countries the effects were considerably modified. There, the relics and memorials of a debasing idolatry had long been swept away. But the spirit, at whose rebuke the legions of Apostate Rome had fled, began to abate in its inherent efficacy and force. Under the combined assault of adverse influences, from without and from within, its very life-blood was gradually drained off. The fountain-heads of spiritual Christianity became congealed. The streams of living water, as

they flowed from the sanctuary, were frozen over. The entire head and heart of a regenerated and regenerative Protestantism came to be encrusted with the hoar of a cold and chilling rationalism. But, though the life and the spirit became extinct, the name, the form, the profession remained the same. The creed and confession and articles, the liturgies and litanies and homilies, were unchanged; but the animating breath had departed. Men did not, in general, renounce the profession of religion. On the contrary, they studiously fostered the semblance of respect for it. But it was no longer religion properly so called—the true religion revealed from heaven—the religion of the everlasting God. No, it was rather a kind of natural or poetical religionism. Yea more, men still called themselves Christians, and orthodox Protestant Christians too. But their Christianity was not the vital energetic Christianity of the Bible, but a mongrel mutilated Christianity of their own;—a misnamed Christianity, which, under the varied designations of Socinianism, Unitarianism, and such-like, was only a system of heartless, lifeless, soulless, spiritless Deism;—/231/ a Christianity, in short, which, while it carefully retained possession of the venerable name, as carefully excluded from it all the peculiarities of the Christian faith—all the distinctive doctrines of an incarnate but crucified Redeemer.

Under the freezing influence of such a system, the professed minister and ambassador of the Living God could heartily exchange the most flattering courtesies and compliments with the avowed blasphemer and enemy of his Lord and Master. Such an example being openly set by many of the chief shepherds, what could be expected, from the ordinary members of their flocks, but a total indifference to the stable land-marks between right and wrong—a total oblivion of those sanctions and laws by which the Eternal had fenced in the Ark of the Covenant, with its treasures of grace and affecting symbols of a consummated redemption?

And if such was the conduct of shepherds and people, *at home*, what could be anticipated of those who went forth, solely in quest of secular riches and honours and powers, to *foreign*

lands ? Cut off and severed from the hallowed restraints and associations of all Christian Institutions ; fraught with the spirit of rationalistic indifferentism which distinguished their times ; and thrown freely adrift on the swelling tide of anti-religious circumstances ;—what could be expected less than that they should be prepared to cast the veil of their spurious liberalism over the wildest aberrations of unassisted reason,—to regard with favour and preference the dogmata of a philosophy, whose deformities had not yet been fully revealed—or even attempt to force into a seemingly friendly alliance, systems of truth and error, as mutually repugnant as fire and water, light and darkness ?

And do not the recorded representations of actual historic fact admirably tally with such anticipations ? As in the laboratories of Brahmanism, the literary aspirants from the West found, to their surprize and joy, a ready made Literature, which saved them the trouble of attempting to frame one for themselves, so, in the same mysterious recesses, then first disclosed to view, did the men of cold rationalizing spirit discover a ready made system of Religion, which saved them the necessity of forcing, or fabricating, or compounding one for themselves, either out of the works of Nature, or the Revelations of the Bible. In the apparent monotheism, but real pantheism of the Vedas, then ill understood, they discerned or fancied they discerned a scheme which promised to harmonize with those congenial tastes and predilections, which, in their own native land, would instinctively have led them to swell the ranks of Socinian, Unitarian, or Neologistic Rationalism. /232/

One or two examples may suffice at once to establish our assertion and illustrate our meaning.

Mr. Charles Wilkins, Senior Merchant in the service of the Honorable the East India Company, having translated the *Bhagavat Gita*, an episodical extract from the Mahabharat, one of the great heroic poems of the Hindus, submitted a copy of the manuscript to Warren Hastings at his own special request, when Governor of Bengal. The Governor took up the subject with all the warmth of enthusiasm which characterized his

liberal patronage of Oriental Literature and Science. In 1784, amid the distractions of his own Council and the convulsions of empire, he found leisure to pen a lengthened and elaborate recommendation of the work, addressed to the chairman of the Court of Directors, in which he described it as "a very curious specimen of the Literature, the Mythology, and the Morality of the ancient Hindus." Apart altogether from the antiquity of the original—the veneration in which it has been held by a succession of admiring sages, and the influence which it has exercised over the national mind of India,—the varied and grotesque nature of its contents must ever render it "one of the greatest curiosities ever presented to the literary world." It is perhaps one of the strangest and most incoherent medleys of physics and metaphysics, philosophy and mythology, Unitarianism and Pantheism, which it has ever entered the imagination of man to conceive. As a picture of the human mind, in one of its dreamiest moods of half-wakeful reverie and high soaring mysticism—lost and bewildered in its unaided search into the abysses of abstract being, and the destinies of the universe—it is not only curious but invaluable. For its incongruities the translator finds or frames an apology in the supposition, that its principal design might have been "to unite all the prevailing modes of worship of those days." The Governor, with his naturally fine taste and acute discernment, felt how hard a task he had undertaken in attempting to reconcile the *savans* of the West to a poem, so wholly different, in its structure, style and substance, from any of those models which the classic genius of Greece and Rome had raised, and whole centuries of imitation and applause had served to consecrate. Accordingly, he earnestly deprecates the application of any tests founded on such unperishable standards.

"Might I," says he, "an unlettered man, venture to prescribe bounds to the latitude of criticism, I should exclude, in estimating the merit of such a production, all rules drawn from the ancient or modern literature of Europe, all references to such sentiments or manners as are become the standards of propriety for opinion and action in our own modes of life, and equally /233/

all appeals to our revealed tenets of religion, and moral duty. I should exclude them, as by no means applicable to the language, sentiments, manners, or morality appertaining to a system of society with which we have been for ages unconnected, and of an antiquity preceding even the efforts of civilization in our own quarter of the globe, which, in respect to the genral diffusion and common participation of arts and sciences, may be now considered as one community. I would exact from every reader the allowance of obscurity, absurdity, barbarous habits, and a perverted morality. Where the reverse appears, I would have him received it (to use a familiar phrase) as so much clear gain, and allow it a merit proportioned to the disappointment of a different expectation. In effect, without bespeaking this kind of indulgence, I could hardly venture to persist in my recommendation of this production for public notice."

Who, after such candid and sweeping statements, with others of similar purport and tendency could expect to find the same author, in the same recommendatory preface, coolly asserting that, in a poem so strongly characterized by himself, few passages could be found in any way calculated to "shock either our religious faith or moral sentiments ?"—And, as if this were not enough, a few pages farther on, in terms still more explicit and in a tone still more emphatic, he thus expresses himself :—
 "with the deductions, or rather qualifications, which I have thus premised, I hesitate not to pronounce the *Gita* a performance of great originality ; of a sublimity of conception, reasoning, and diction, almost unequalled ; and a single exception, among all the known religions of mankind, of a theology accurately corresponding with that of the Christian dispensation, and most powerfully illustrating its fundamental doctrines!" Strange indeed !—A system, which, in order to be appreciated, demands from every reader "the allowance of obscurity, absurdity, barbarous habits, and a perverted morality"—a system, whose merits can only be estimated by excluding all reference to "the standards of propriety for opinion and action in our own modes of life, and equally all appeals to our revealed tenets of religion and moral duty ;"—in other words, a system, not merely incompa-

tible with Christianity in its minor details, but absolutely antagonistic to it in every one of its essential facts and fundamental principles—a system, which, were it only to prevail, would not merely dismantle this fair out-spreading tree of life, whose very leaves are for the healing of the nations, of its richest blossoms and ripest fruits, but lop off its branches altogether, yea, hew it down to the ground, and tear it up by the very roots—such a system, the “single exception, among all the known religions of mankind, of a theology accurately corresponding with that of the Christian dispensation and most powerfully illustrating its fundamental doctrines !!” That, from an otherwise clear-sighted and vigorous mind such a judgment should /234/ have emanated respecting two systems, not merely mutually repulsive but mutually destructive of each other, must prove how little the author could have been acquainted with the genuine character and leading objects of either ; and more especially how little he was enabled to appreciate the Divine origin, scope, and ends of the Christian faith. It was a deliverance thoroughly consonant with the prevailing tone of that eventful epoch. It was the cold, lifeless, faithless, rationalistic spirit of the eighteenth century finding suitable expression and embodiment through one of its organs and representatives, in the person of a British Governor-General, on the banks of the Ganges !

But, perhaps, the most perfect type and model of the rationalizing spirit of a fallen and degenerate Protestantism may be found in the writings of Mr. Holwell, who variously distinguished himself in the days of Clive. Boldly does he at once strike the key note, saying, that “candid minds will not despise or condemn the different ways by which they (the people of different countries) approach the Deity ; but revere it still as a *divine worship*, though they may *piously lament it deviates so much from their own.*” Respecting “all the systems of theology broached to mankind,” and “claiming descent from God,” he still more emphatically adds, “God forbid we should doubt of, or impeach the divine origin of any of them !” But, the *two* most perfect revelations of the divine mind, according to him, are the Christian Scriptures and the original Hindu Shastras, designated

by him, the "Chartah Bhade Shastah of Bramah." The latter, in his judgment contains "all the great primitive truths in their original purity that constituted the first and universal religion." He does not hesitate, therefore, to pronounce it as the great standard of "the unerring original faith." In this view of the case, the Christian Scriptures consist of nothing but a republication of the primitive faith delivered by Bramah. "The doctrines of Christ and Bramah," says he, "are one and the same;" they "mutually support each other;" while "the authenticity and divine origin of both" cannot be called in question. He consequently "confesses himself to be amazed that we should so readily believe the people of Hindustan a race of stupid idolaters;" and his avowed endeavour is "to extricate them in some degree from the gross absurdities we have conceived of them!"

What, then, it may be asked, are the leading tenets of the "Bramah Shastah," which are thus said to synchronize so perfectly with the fundamental principles of the Christian faith? By converting every mythological puerility, absurdity and /235/ apparent impiety, into a mystic symbol, emblem, or hieroglyph, the key of whose meaning he drew forth from his own fertile imagination, he has constructed and elaborately illustrated a system, professedly deduced from "the Shastah," of which the following are the principal or salient points:—The great creator having called into being, hosts of pure and sinless angelic natures, multitudes of these subsequently rebelled and fell. They were expelled from the heavenly regions, and doomed to eternal punishment. At the intercession, however, of the faithful remaining bands, the Supreme God was at length inclined to mercy, and to soften the rigor of their sentence, by instituting "*a course only of punishment, purgation and purification*;" through which, by due submission, all of them might ultimately work out a restoration to the seats they had lost by their disobedience. "Birmah" was then commissioned to descend to the banished delinquents to signify unto them the mercy and determination of their creator. The present visible universe was next formed solely for the residence, sustenance, and imprisonment of these apostate angels. For their more immediate or closer confinement,

mortal organized bodies were framed. Through these mortal forms, in the various regions of purification, they are doomed to undergo a long series of transmigrations, as well for purposes of purgation as of punishment—the human form being the last and chief state of trial and probation. To the apostate angels liberty has been given to pervade the universe; while permission has been granted to the faithful angelic beings to counteract them. From this it follows, that all the souls or spirits which have ever animated mortal forms, whether human, brutal, or vegetable, have been none other than “delinquent angels, in a state of punishment and probation, for a lapse from innocence, in a pre-existent state”—and that “the souls or spirits, of every human or other organized mortal body, *now* inhabiting this globe, and all the regions of the material universe, are precisely the remainder of the unpurified angels, who fell from their obedience in heaven, and that still stand out in contempt of their creator.”

From this Holwellian modification of Brahmanism, other conclusions follow of a still more startling character, but quite naturally and in perfect consistency with the genius of the system. That sages and statesmen have in different ages and countries appeared, who, as compared with the generality of mankind, might be denominated wise and virtuous, is undoubted. Who then, were these? Hear Mr. Holwell. They are, says he, “the heavenly angelic faithful (or unfallen) /236/ beings, who, by divine permission, have, from pure benevolence, at different times appeared on this earthly region under various mortal forms and names, and have proved themselves under the various characters of Kings, Generals, Philosophers, Lawgivers, and Prophets, shining examples to their former brethren, the delinquent and apostate angels, of stupendous courage, fortitude, purity, and piety.” Yea more, to prevent any dubiety or mistake as to his meaning, Mr. Holwell, from these generalities descends to particulars, and amongst other singular phenomena of the metempsychosis, discloses the previously unheard-of fact, that Moses, the Hebrew Lawgiver, was not only “well acquainted with the doctrines of Birmah,” but was “himself the very

identical spirit, selected and deputed in an earlier age, to deliver those truths free from allegory, under the style and title of Birmah !" — Nor, do the wondrous revelations of the metempsychosis stop here. What will the sober reader of his Bible think of the following marvellous identity ? — "It is," says our author, "no violence to faith, if we believe that Birmah and Christ is one and the same individual celestial being, the first begotten of the Father, who has most probably appeared at *different* periods of time, in *distant* parts of the earth, under *various* mortal forms of humanity and other denominations : thus we may very rationally conceive, that it was by the mouth of Christ, styled Birmah by the easterns, that God delivered the great primitive truths to man at his creation, as infallible guides for his conduct and *restoration* !" No wonder, though the writer, in his fanciful and profane speculations, felt some misgivings at the possible reception of impieties such as these. Hence his anticipatory caveat. "Tender consciences," says he, "have no cause of alarm from our reviving the consideration of a doctrine (the metempsychosis) which in the most early known ages was followed by at least four-fifths (!) of the inhabitants of the earth ; the more especially as we hope to prove, that this doctrine is not repugnant to the doctrines of Christianity !" And again, — "all these original tenets and principles are confirmed by our own similar Christian doctrines and belief !"

But, how is a coincidence so startling made to assume the semblance of a reality ? First, by throwing the air of an exciting romanticism over the doctrines and practices of the faith of Bramah. In the revolutions of this mental Kaleidoscope, the atrocious rite of Sati, or widow-burning, presents the aspect of "a voluntary act of glory, piety, and fortitude," which cannot be witnessed without "awe and reverence" ; since the women, "if viewed in a just light, act upon heroic as well as/237/rational and pious principles." The transcendent verities of the Christian faith, on the other hand, are coolly and unceremoniously thrown aside. Seen through the refrigerative medium of rationalism they appear only as the "extravagant rhapsodies" of heated minds, or the unscrupulous inventions of a designing

priesthood. The simplest theoretic narrative resolves itself into mythos or allegory. The Mosaic account of the creation and fall of man is not to be taken in a literal sense ; it is "typical only of another and much greater event, viz., the fall of the angelic hosts, to which man has a much nearer relation than is comonly imagined." Adam tempted by Eve is "Satan, in his original glory, tempted by evil, the associate of his bosom." The serpent "represents the insidious arguments and wiles of Satan, to engage the angelic tribes to become associates in his revolt and rebellion." Paradise "marks the beauty of the original earth ; and the garden of Eden is only the symbol of heaven." The banishment of Adam and Eve from Eden denotes "the banishment of Satan and his confederates from the heavenly regions." The "curse of sorrow, labour, and death entailed upon Adam and Eve, figuratively shew forth the original sentence, doom, and punishment of the apostate angels." The "personages which Moses calls by the names of Abel and Cain, are obviously types of good and evil, virtue and vice." In a word, "as to the actors Moses employs, under the denominations of Adam, Eve, Cain, and Abel, it is plain they never had any real personal existence ; it is therefore evident that the creation of man, according to the Scripture of Bramah, is the only real and original one!"—No wonder though the author should, again be seized with huge misgivings, and should in such strains as the following, earnestly deprecate the anticipated indignation of the Christian reader :— "God forbid," exclaims he, in the consciousness of his righteous desert, "God forbid it should be thought, from the tenor of these our disquisitions, that, with Hobbes, Tindal, Bolingbroke, and others, our intent is to sap the foundation, or injure the root of Christianity. Candor and benevolence avert from us so uncharitable and ill-grounded an imputation. On the contrary, our sole aim is to *restore* its purity and vigour, by having those luxuriant injurious branches and shoots lopped off and pruned, which have so obviously obstructed, stunted, and prevented its natural, universal growth and progress !" Sensible that he had laid himself quite open to the censure and imputation of Deism, he simply replies,— "We pronounce that a man may, with strict

propriety, be an *orthodox Christian Deist*; that is, /238/ that he may, *consistently*, have a firm faith in the unity of the Godhead, and in the pure and original doctrines of Christ. In this sense alone we glory in avowing ourself—A CHRISTIAN DEIST." Now, what is all this, but the rationalizing Demi-infidel spirit of the spurious Protestantism of the eighteenth century—which allegorised the histories of the Bible into the endless caprices of an unbridled fancy,—explained away its miracles into artful, or timely, or accidental combinations of secondary causes,—revived and gave fresh strength to the Pelagian, Arian, and Unitarian heresies,—and finally, while in words professing, to honour it, strove to lop away from Christianity itself all those doctrines which constitute its ineffable glory—reducing it into the shrivelled form of wretched and superficial philosophism, that left man without an atonement for sin or any rational hope of deliverance—the sport of fancy and the victim of delusion—without a God and without a Saviour;—what is it all, but one and the self-same spirit, living and acting through the annalist Holwell, as one of its chosen organs and representatives, on the plains of Bengal ?^{*} /239/

*Even the devout and all accomplished Sir W. Jones was not proof against the contagious influence of his age. His conduct but too clearly shewed that, in many respects, he succumbed to its spirit. His eulogium on the excellence and sublimity of the Bible has been often quoted. "I have," says he, "regularly and attentively read the Holy Scriptures, and am of opinion that this volume, independent of its divine origin, contains more true sublimity, more exquisite beauty, and more pure morality, more important history and finer strains of poetry and eloquence, than could be collected in the same compass, from all other books that were ever composed in any age or nation. The antiquity of these compositions no man doubts, and the unstrained application of them to events long subsequent to their publication, is a solid ground of belief that they were genuine predictions, and consequently inspired." Who would suppose that the individual who penned so glowing and yet so just a panegyric of the inspired word of the one Living and True God, could, in order to please his Heathen Pandit or Teacher, be "accustomed to study the Shastras, with the image of a Hindu God placed on his table ?"

His elaborate versions of idolatrous hymns, rendered apparently

But enough. In founding colleges for the exclusive inculcation of the Arabic and Sanskrit systems in their aboriginal and unmodified forms; in holding up the torch of smoky and expiring Orientalism to shed additional light on the improved Literature /240/ and Science of Europe; in applying the standards of a dreamy metaphysics and barbarous mythology, in order to re-model Christianity itself, or supersede it altogether; — the men of the eighteenth century acted quite in accordance with the spirit of their country and age. This is the best apology which we can frame for them; and being the best, we feel bound in candour to make it. They did what was wrong — utterly, inexcusably wrong — dishonoring to the God of heaven and ruinous to the souls of men. But they did no worse than was fully sanctioned by the age in which their lot was cast,

con amore, and with exquisite but misapplied taste, drew forth the gentle but severe rebuke of Foster in his celebrated Essays.

"I could not," says he, "help feeling a degree of regret, in reading lately the memoirs of the admirable and estimable Sir William Jones. Some of his researches in Asia have no doubt incidentally served the cause of religion; but did he think the last possible direct service had been rendered to Christianity, that his accomplished mind was left at leisure for hymns to the Hindu Gods? Was not this a violation even of the neutrality, and an offence not only against the Gospel, but against theism also? I know what may be said about personification, license of poetry and so on; but should not a worshipper of God hold himself under a solemn obligation to abjure all tolerance of even poetical figures that can seriously seem, in any way whatever, to recognize the Pagan divinities or abominations, as the prophets of Jehovah would have called them? What would Elijah have said to such an employment of talents? It would have availed little to have told him, that these divinities were only personifications (with their appropriate representative idols) of objects in nature, of elements, or of abstractions. He would have sternly replied — And was not Baal, whose prophet I destroyed, the same?"

Again, the great work or institutes of Manu, the reputed Divine Law-giver of the Hindus, Jones portrays as follows: — "It is," says he, "a system of despotism and priestcraft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks; it is filled with strange conceits in metaphysics and natural philosophy, with idle superstitions, and with a scheme of theology most obscurely

and of which they may be considered merely as the vicarious organs. It is seldom quite fair, and often altogether unjust, to judge of the leaders of public opinion—the visible actors on the stage of time—apart and isolated by themselves. Viewed in this way, wholly irrespective of the circumstances by which they are surrounded, and from which they have derived their peculiar nurture and training, they are apt to be denounced as pre-eminent in guilt; whereas, they may be no more guilty in the

figurative, and consequently liable to dangerous misconception; it abounds with minute and childish formalities, with ceremonies generally absurd and often ridiculous; the punishments are partial and fanciful; for some crimes, dreadfully cruel, for others reprehensibly slight; and the very morals, though rigid enough on the whole, are in one or two instances (as in the case of light oaths and of pious perjury) unaccountably relaxed."

All this is most just and well deserved. But, as if to make some reparation for such faithfulness and plain speaking, the author next proceeds, with little regard to consistency, to declare that "*a spirit of sublime devotion, of benevolence to mankind, and of amiable tenderness to all creatures pervades the work*—that the style of it has a certain austere majesty, that sounds like the language of legislation, and extorts a respectful awe—that the sentiments of independence on all beings but God (sentiments indicative of something more than stoical pride) are *truly noble, &c.*"

The great orientalist, however, expresses himself with moderation compared with the Revd. Mr. Maurice, a Christian Divine, whose great work on the Indian Antiquities is interspersed with ecstasies like the following:—

"At one time, arrayed in all the giant terrors of superstition, she (ancient religion of India) appears, like a sable and vindictive Demon from Naraka, to stalk in desolating fury over the continent of India, brandishing an uplifted scourge and clanking an iron chain, while after her are borne a band of famished jogies, stretched on the wheels of torture and languishing in various attitudes of penance. Her tone is high and menacing, her footsteps are marked with blood, and her edicts are stamped with the characters of death. At another time, she wears the similitude of *a beautiful and radiant Cherub from Heaven*, bearing on her persuasive lips the accents of pardon and peace, and on her silken wings benefaction and blessing. Now, reserved and stately, she delights in pompous sacrifices and splendid oblations: she exults to see her altars decorated with brocade, and her images glittering with

sight of omniscience than the thousands and myriads who have fanned them into existence and power by the hosannahs of their applause—the thousands and the myriads, whose spirit and principles are faithfully mirrored forth in words and proceedings that may be winged with pestilence and death. Such men, then, however justly obnoxious to censure, cannot be regarded as exclusively so. In condemning them, we must pronounce sentence of condemnation on the age, from whose lowest depths they have been thrown up, high above the surface, merely to indicate the nature and direction of the

jewels ; a numerous train of priests, gorgeously arrayed, officiating in her temples, and wafting around, from golden censurs, the richest odours of the east. Again, she assumes a rustic garb, and arrays her aspect in festive smiles : she mingles in the jocund train of dancing girls that surround her altar, and will accept none but the simplest oblations, fruits, flowers, and honey."

Again :

"Mr. Forbes of Stanmore-hill in his elegant museum of Indian rarities, numbers two of the bells that have been used in devotion by the Brahmans. They are great curiosities, and one of them in particular appears to be of very high antiquity, in form very much resembling the cup of the lotus ; and the tune of it is uncommonly soft and melodious. I could not avoid being deeply affected with the sound of an instrument which had been actually employed to kindle the flame of that superstition, which I have attempted so extensively to unfold. My transported thoughts travelled back to the remote period, when the Brahman religion blazed forth in all its splendour in the caverns of Elephanta. I was, for a moment, entranced, and caught the ardour of enthusiasm. A tribe of venerable priests arrayed in flowing stoles, and decorated with high tiaras, seemed assembled around me ; the mystic song of initiation vibrated in my ear ; I breathed an air fragrant with the richest perfumes, and contemplated the deity in the fire that symbolized him !"

Once more : "It was, then, in periods when the solar worship, in this part of Asia, flourished in the zenith of its glory, that these caverns were scooped out of the native rock, with that indefatigable labour and with that persevering patience which devotion could alone have inspired, and which the hopes of eternal reward could alone have supported. It was in these solemn retreats of religion and philosophy that the contemplative and absorbed soul approached nearest to the perfection of the divine nature ; it was here that the bright emblem of the

current. But if, in our day, any should be found, whether among the governors or governed, still treading in the footsteps of the men of the eighteenth century, and slavishly and doggedly imitating their fatal example, the same apology cannot be framed or plied in their behalf. While the conduct of the former may, so far, be palliated, from having been strictly consonant with the rationalistic spirit and heathenish leanings of their age, the conduct of the latter, should any such be found, must be unsparingly reprobated, as being in direct contravention to the rectified tone and improved spirit of theirs. /241/

As the eighteenth century closed, so the nineteenth opened, with the tide of orientalism in full flow, and with a corresponding recession of the waters of a living Christianity. True it is, that, subsequent to the volcanic burst of the French Revolution which bestrewed the European world with the burning scorice and ashes of anarchy and atheism, a counter-current began to set in from the west. But, as in the physical world, a body in motion acquires a momentum that will carry it, with even accelerated speed, beyond the point at which the original motive force has ceased to act, or is partially suspended by the opera-

divinity beamed forth a lustre insupportably resplendent and powerful, but particularly at that awful season when the world was deprived of the blessing of the living solar orb, and when nature lay buried in profound silence and in midnight darkness. If, as Mr. Hamilton informs us, from ocular survey, no less than a hundred lamps were preserved incessantly burning before the idol Juggernath, how many thousand must have been lighted up in the extensive caverns of Salsette and Elephanta? It is probable, that in the day time the Brahmans mounted the eminences of their rocks, and paid their devotions on the summits of the loftiest mountains. They ascended the heights of Salsette, as the Egyptian priests of old ascended the apex of the pyramids, to adore the sun, and to make astronomical observations. Imagination cannot avoid kindling at the scene, and it is difficult to refrain from rushing into the enthusiasm of poetry, while we take a review of the probable splendour and magnificence of this ancient species of devotion." Are these the words of a Christian divine, on the rehearsal of idolatries which have been pronounced an "abomination" by the God of heaven! Alas for poor humanity!

tion of an opposing influence ; so does it often happen in the moral world too. It was so in the instance more immediately under review. New influences were beginning to spring up, in divers places and in various forms, calculated ultimately to counteract the workings of the fearfully anti-social anti-christian spirit of the eighteenth century. But the general mind had every where acquired such a momentum of force in the direction of evil, that it could not, all at once, or even speedily be arrested. Beyond the boundary line which separated the two centuries it still continued, in the face of a growing resistance, to advance in its wild career of error and of wrong.

A sagacious and far-seeing mind, like the Marquis Wellesley's, could, from its lofty watch-tower, discern something of the real nature and out-gate of past and present tendencies. Standing as he did on the very point of confluence of both centuries, he could not but acknowledge that the naked horrors in which the dominant spirit of the one had found its fitting development, imposed on the friends of religion and social order the necessity of endeavouring to introduce a better spirit for regulating and controlling the destinies of the other. Still, as early imbibed and long cherished prejudices can never be shaken off in a day, even *his* views were but partial and beclouded. One thing he did see clearly enough in a general way, viz. that the permanence of the British Government in India depended on its ability to command an unfailing supply, in every department of the state, of European officers "attached, by regular instruction and disciplined habits, to the principles of morality*, good order, and subordination." And he seems to have been aware that, *without religion*, there can be no sound and solid basis for morality. "It cannot," says he, "be denied that, during the convulsions with which the doctrine of the French Revolution have agitated the continent of Europe,

*Even Warren Hastings, when addressing the Chairman of the Court of Directors, could give expression to the following sentiment :—
"And you, sir, will believe me, when I assure you, that it is on the *virtue*, not the abilities of their servants, that the Company must rely for the permanency of their dominion."

erroneous principles of the same dangerous tendency had reached the minds of some individuals in the Civil and Military Service of the Company in India ; and the state as well of political as of *religious* opinions, had been in some degree unsettled. The progress of this mischief would at all times be aided by the defective and irregular education of the writers and cadets ; an institution, tending to fix and establish sound and correct principles of *religion* and government in their minds at an early period of life, is the best security which can be provided for the stability of the British power in India." "Their early habits should be so formed, as to establish in their minds such solid foundations of industry, prudence, integrity, and *religion*, as should effectually guard them against those temptations and corruptions with which the nature of this climate, and the peculiar depravity of the people of India, will surround and assail them in every station, especially upon their first arrival in India. The early discipline of the service should be calculated to counteract the defects of the climate and the vices of the people, and to form a natural barrier against habitual indolence, dissipation and licentious indulgence." It was, therefore, with a view to the formation of sound *moral* and *religious* habits among the European servants of the Company, as much as for the cultivation of all branches of professional or useful knowledge,* that

* It is well known that, amongst other studies, that of oriental languages, both learned and vernacular, formed a principal part of the course pursued in Fort William College. In this, the noble Marquis showed his discernment and good sense. For whom was the College instituted ? For the *European* servants of the Company ? For what duties was the education, therein imparted, designed to fit them ? Hear the Marquis himself :—"To dispense justice" says he, "to millions of people of various languages, manners, usages and religions, to administer a vast and complicated system of revenue throughout districts equal in extent to some of the most considerable kingdoms in Europe, to maintain civil order in one of the most populous and litigious regions of the world ;—these are now the duties of the larger proportion of the Civil servants of the Company." "They are required to discharge the functions of Magistrates, Judges, Ambassadors, and Governors of provinces, in all the complicated and extensive relations of those sacred

the Marquis projected his /243/ celebrated College of Fort William. Within this narrow circle, however, his educational views,—enlarged and enlightened as they undoubtedly were, far beyond the general standard of his age—appeared to be circumscribed. And in the establishment of this College—though itself a lasting monument of his capacious mind and comprehensive policy—his educational measures seemed to terminate. Towards the reform

trusts and exalted stations, and under peculiar circumstances, which greatly enhance the solemnity of any public obligation, and aggravate the difficulty of every public charge." Such being the arduous and varied character of the duties, the Marquis proceeded to argue with resistless force, that "their studies, the discipline of their character, their habits of life, their manners and morals should be so ordered and regulated as to establish a just conformity between their personal consideration, and the dignity and importance of their public stations, and to maintain a sufficient correspondence between their qualifications and their duties." Besides, therefore, studies of a more technical and professional description, the Marquis concluded, that the education of the young civilians should be founded in "a general knowledge of those branches of literature and science which form the basis of the education of persons destined to similar occupations in Europe," and more particularly "in the general principles of ethics, civil jurisprudence, the law of nations and general history, &c." To this foundation should be added "*an intimate acquaintance with the history, manners, and customs of the people of India, with the Muhammadan and Hindu codes of law and religion, and with the political and commercial interests and relations of Great Britain in Asia.*" And how could the latter indispensable branches of knowledge, and practical information be obtained, or the varied duties, previously enumerated, be satisfactorily discharged, except by the acquisition and use of the *native languages, learned and vernacular*? Hence the mastering of these languages became a grand object of enlightened administrative policy. But, surely, it was *one thing* to constrain the *civil* servants of the Company to acquire such languages, in order the better to enable *them* to administer, with credit to themselves and advantage to the people, the complicated affairs of a great empire; and *quite another thing*, restrict the natives of the soil to the acquisition of their own learned languages and of the subject matter contained in them, as the sole and exclusive materielle of a superior education! This latter, however, it must be remembered, was the grand aim and object *exclusively* designed in the original establishment of the *Muhammadan and Sanskrit Colleges*!

or improvement of institutions for the education of the natives, he does not appear to have attempted or even suggested or proposed any measure whatsoever. The Sanskrit and the Arabic Colleges, originated or sanctioned by his predecessors, he found enveloped in the thickest shade of the night of by-gone ages ; and he left them as he found them. He, who so clearly saw and acknowledged the necessity of forming the manners of Europeans, and "fixing their principles on the solid foundations of *virtue* and *religion*," meaning *Christianity*, could yet complacently regard and perpetuate the short-sighted and cruel policy that withheld such inestimable advantages from the great mass of the people of this land. The labours of "prudent Missionaries," wholly unconnected with the State, he could tolerate or encourage ; he could even patronize the translation of the sacred Scriptures into the eastern tongues ; but this was the utmost length to which he would or could go, in consistency with his views of public duty, and state policy. His own words, in concluding a speech delivered in 1813, in the House of Lords, were, that "he had thought it his duty to have the Scriptures translated into the languages of the east, and to give the *learned natives, employed. in the translation*, the advantages of access to the sacred fountains of divine truth : he thought that a *Christian* Governor could not have done less, and knew that a *British* Governor ought not to do more."

But, even this slight and moderate concession, which, so far as it went, evidently partook of the improved tone and better spirit of the in-coming age, seemed too much for some of his more immediate successors. With minds of more slender grasp /244/ and less liberated from the epidemic craze of the eighteenth century, they came to this land brimful of its peculiar prejudices and antipathies. Pent up, like smouldering combustibles, for a season, these at length burst forth in ignition and fury. The alarming discovery, in the purlieus of Calcutta, of a petty tract exposing the Muhammadan imposture, operated as the match which lighted the train that led to the violent explosion.

Towards the close of 1807, a pamphlet printed in the Persian language at the Missionary press, Serampore, fell into the hands

of one of the Secretaries of the British Government. It was in the form of an "address to all persons professing the Muham-madan religion." It contained a brief statement of gospel truth, while it depicted in plain but strong terms the character of Muhammad and his sanguinary faith: but not in terms plainer or stronger than justice demanded, and historic truth fully warranted. The *only* effect which it had on the Mussalmen themselves, was, that it led to the request, on the part of a Mogul merchant, that one of their learned men "should prepare an answer to it!" Any proceeding more absolutely harmless, or one less calculated to disturb the public peace, could scarcely be conceived. But it was enough to put the whole Council Chamber into a state of combustion and uproar. As a purely *preliminary* measure, the Danish Governor of Serampore was promptly solicited to "interpose his authority to prohibit the issue of any more copies of the pamphlet, or of any publications of a similar description." It was also suggested that the Missionaries should "be required to deliver up all the remaining copies of the pamphlet in question." And farther still, his excellency of Serampore, was distinctly apprized of "the necessity of ascertaining from the Missionaries, to what extent, and in what manner, the pamphlet had been circulated, with a view to enable them (the Governor-General and his fellow Councillors) to counteract its dangerous effects in those places, within the limits of their authority or influence, to which it might have been conveyed."

With these requests the Danish Governor instantly complied. The issue of any more of the pamphlets was prohibited by him. All the printed copies, remaining in the hands of the Missionaries amounting to 1700, out of 2000, were delivered up and transmitted to the Supreme Council at Fort William; while a stringent order was issued to prevent the printing or circulating of any works of a similar character in future.

Was this sufficient? No. The British Government next issued an order prohibiting the Missionaries from printing *any books* "directed to the object of converting the natives to /245/ Christianity." On this, the operations of the Serampore press

were suspended, and "the translation of the Bible and the New Testament forbidden," until the Danish Governor obtained from the British Governor-General an *official* answer to the question, "Whether the circulation of the Bible in the Bengali language was to be included in his lordship's prohibition?" The reply of the Governor-General in Council was the following:—"We are not aware of any objection to the promulgation of the Scriptures in the Bengali language, unaccompanied by any comments on the religions of the country." That is, as a contemporary remarked, "the English Government were not aware that there was any objection to the publication of the Bible, yet they were not certain." At all events, it must have "no comments on the religion of the country": that is, it must not be said of the Bible—"this is the word of the true God, and more worthy of belief than the Vedas of Brahma": nor must "any illustration of its truth be noticed with reference to Hindu doctrines."

Nor did the interference of the British Government stop even here. In spite of the solemn assurances of the Danish Governor on his part, and of the Missionaries on theirs, that the minutest wishes of the Supreme Government would be scrupulously attended to, the fears of the latter were not yet appeased. In the excited apprehensions of its members, the phantoms conjured up by their own imagination were mistaken for realities, and sober realities confounded with exaggerated phantoms. A new sacrifice must therefore be demanded to exorcise, if possible, the spectral apparition of their own idle fears. The next requisition, accordingly, was, that the Missionary printing press should be removed from Serampore altogether, and transferred to Calcutta, so as to come under the direct and immediate control of the local authorities there. Against the execution of this most uncalled-for and arbitrary decree, the Missionaries, in a long and able memorial, thick set with arguments and facts, earnestly but respectfully remonstrated. In this, they were powerfully seconded by the simultaneous remonstrances of the Danish Governor, who now began to feel that the honor and sovereignty of Denmark, of which he was the delegated repository, were deeply involved in the issue. On a re-consideration of the whole

case, the British Government at length determined, though apparently with extreme reluctance, to revoke the noxious order for the removal of the press from Serampore to Calcutta,—declaring that they did so chiefly “under the influence, of a desire to conform to the wishes of the Danish Government.” The act of revocation, however, was coupled with the stringent and neutralizing condition, that all works /246/ “intended for circulation, within the British territories, should be submitted to the inspection of the officers of Government, previously to their publication.” Such a measure was declared to be essential towards preventing the public safety and tranquillity from being exposed to hazard. The Missionaries had no alternative but to submit—solemnly engaging to render a prompt and unqualified compliance.

The *chief* inconvenience, as fully pointed out at the time, of the *imprimatur* thus authoritatively imposed, was, “not that religious books should be submitted to the officers of government, but that they must be submitted to the *native* officers of Government. If indeed, the Christian officers of Government understood the Bengali, Arabic, Orissa, Mahratta, and Chinese languages, then might the Missionaries expect that Christians would revise their works ; but a Hindu must revise the Bengali, and a Muhammadan the Arabic. Those very Muhammadans, who were ready to impeach the Missionaries in the first instance, would necessarily be employed next to revise their theology. Was it ever heard that a Hindu or Muhammadan gave a candid judgment of a Christian book ? They would of course obliterate all passages which offended their own superstitions, and particularly those passages in Scripture, or quotations from them, which spake of the sin of idolatry, of false gods as false gods, and of lying prophets as lying prophets.”

The circulation of religious tracts and of the sacred Scriptures themselves being thus virtually suppressed by the high hand of authority ; the next and equally decisive measure, was authoritatively to prohibit the preaching of the Gospel.

The inquiries instituted respecting the “Persian tract” led to the fearful discovery, that there were other tracts of a similar

nature in the Hindustani and Bengali languages—and to the still more astounding discovery, that the Gospel of salvation was actually preached to the native inhabitants of Calcutta ! The following is a quotation from the Dispatch of the Supreme Government* to the Court of Directors :—

"At our consultation, in the secret department, of the 8th of September, the Secretary reported to us, that having desired Mr. Blaquiere, one of the Magistrates of the Town of Calcutta, to adopt measures with a view to ascertain the proceedings of the Missionaries, in disseminating pamphlets of the nature of that which was submitted to Government at the last meeting of Council, and in meetings stated to be held within the town of Calcutta, for the purpose of exposing to the native inhabitants the errors of their religion, and of persuading them to adopt the Christian faith, Mr. Blaquiere had attended the Secretary's office and informed him, that being apprized of the practice adopted by the Mis-/247/ sionaries, or their converts, of preaching to the multitude every Sunday at a house in the city engaged for that purpose, he had directed a person in his employ to attend one of those meetings, and that Mr. Blaquiere had delivered to the Secretary a Memorandum† of what passed

* The dispatch is signed by Minto ; G. Hewett ; G. H. Barlow ; J. Lumsden.

† "Copy of a Memorandum from Mr. Blaquiere."

The ceremony was begun by an elderly Bengali, on whose coming and standing in the pulpit, all the audience, who were sitting down before on benches, stood up, when the old man began preaching in the Bengali language, beseeching his congregation to observe that Yudhisthira, who had never spoken a lie, was persuaded by evil men to utter a falsehood, for which he was sent down to Hell.

The preacher then observed that even Brahmans and other people of respectability live a sinful life abroad with women of the town, having at the same time wives at home ; that they drink liquor in the public shops, and that in the commission of all these unrighteous acts, they are not forced by any one, but prompted by their evil inclination. He then questioned the difference between the Brahmans and other men, seeing they are both liable to sin equally—that if both these classes are equally liable to sin, why then the Sudras and others are required to expiate



at that meeting, drawn up by the person who attended it. A copy of that Memorandum we deem it proper to enclose ; the Secretary proceeded to state from Mr. Blaquiere's verbal report, that Mr. Blaquiere had at the same time directed a Brahman in his service to attend the Missionaries, and under *a pretended desire to become a convert*, to obtain copies of any publications which had been issued under the authority of the Missionaries ; that the Brahman accordingly waited on the Reverend Mr. Ward, one of the society, residing principally at Calcutta, and that Mr. Blaquiere had delivered to the Secretary eleven pamphlets written some in the Bengali, some in the Hindustani language, which, on that occasion, the Reverend Mr. Ward had delivered to the Brahman.

The Secretary reported that those pamphlets for the most part consisted of strictures upon the characters of the Hindu deities, tending to place them in a hateful or disgusting light, and to deduce from those strictures the fallacy of the Hindu mythology ; of exhortations to the Hindus, to abandon their

their sins, and why not the Brahmans :—that Brahmans cannot forgive sins.

That the annual religious festivals are not expiatory of sin, but productive of it, &c. &c.

The people continued standing all the while that the Bengali preached.

Then began the singing psalms in the Bengali language to European tunes.

After this, an European ascended the pulpit, and preached a sermon in English.

The hearers were, some Armenians, some native Portuguese, and some native Portuguese women ; two Bengalis that are converted sat on a bench on the left of the pulpit. There was no other Bengali or Muhammadan sitting, but a crowd of them was collected at the door. Among the hearers I did not see a single person of any respectable character, but such as I recognized lead an irregular life. I am given to understand, the Missionaries have some Christians in their employ who use persuasive means to make converts.

(A true copy.)

(Signed)

N. B. EDMONSTONE,
Secretary to Government.

idolatrous worship and embrace the doctrines of Christianity ; of the translations of the Psalms of David and other parts of Scripture. That two of those pamphlets however, one in the Bengali, the other in the Hindustani language and character, were addressed exclusively to the class of Muhammadans, and contained the same or similar abuse of the doctrines, books, and foundations of the Muhammadan religion, as was contained in the Persian pamphlet laid before the Board at the last Meeting of Council, and that these two pamphlets were stated to have been printed at Serampore in the year 1806." /248/

The Supreme Council, having "taken into consideration the preceding communications, recorded the following observations and resolutions :—

"That the publications in question and the practice of preaching to the multitude, described by Mr. Blaquiére were evidently calculated to excite among the native subjects of the Company a spirit of religious jealousy, and alarm, which might eventually be productive of the most serious evils. That the distribution of such publications, and the public preaching of the Missionaries and their proselytes at the very seat of Government, were acts tending to indicate that the proceedings of the Missionaries, in vilifying the religions of the country, were sanctioned and approved by the supreme authority ; that the prevalence of such an impression would both augment the danger and render more difficult the application of a remedy ; that if these proceedings should be suffered to continue until their effects should be manifested in the clamour and discontent of the people, any measure then adopted to arrest the progress of the evil, would necessarily appear to be the result of apprehension. That it was of the highest importance, therefore, to adopt, without delay such measures as were calculated to preclude a conjuncture so injurious to the authority and dignity of Government, and so hazardous to the prosperity and even the security of these dominions ; and finally, that the obligation to suppress, within the limits of the Company's authority in India, treatises and public preachings offensive to the religious persuasions of the

people, was founded on consideration of necessary caution, of general safety, and national faith and honour.

That with this view we deemed it necessary to direct that the practice of *public preaching at the house* employed for that purpose by the Missionaries in the town of Calcutta, should be *immediately discontinued*; and to prohibit the issue of any publications, from the press superintended by the society of Missionaries, of a nature offensive to the religious prejudices of the natives, or *directed to the object of converting them to Christianity*; observing, that whatever might be the propriety of exposing the errors of the Hindu or Mussulaman religion to persons of those persuasions, who should solicit instruction in the doctrines of the Christian faith, it was contrary to the system of protection which Government was pledged to afford to the undisturbed exercise of the religions of the country, and calculated to produce very dangerous effects, to obtrude upon the general body of the people, by means of printed works, exhortations necessarily involving an interference with those religious tenets which they considered to be sacred and inviolable."

In vain did the Venerable Carey, when summoned "to attend the Chief Secretary's chambers," explain that he "did not perceive any particular impropriety in the general substance of what had been read to him (out of the obnoxious Persian pamphlet,) and that it appeared to him merely to contain arguments in favour of the Christian religion, opposed to that of Muhammad." In vain did he protest, that "he by no means approved the introduction of abusive language directed to the religion and its founder—that he was aware that no good could be answered by it—that to irritate an opponent was not the way to convince him of his errors—that such was not the /249/ practice of the Missionaries in endeavouring to convert the natives to Christianity". In vain did he asseverate that "the Missionaries were disposed in all respects to conform to the wishes of Government—that it was only necessary for them to know the will of Government to obey it,—but that he hoped it was not the intention of Government to prohibit them from endeavouring to convert the natives, by the only means which

they were disposed to use, viz., *fair arguments and persuasion*;—that all idea of compulsion was entirely out of the question—and that they merely employed arguments to convince the natives of their errors."

In vain did the Governor of Serampore interpose his mediation, declaring in substance that the pamphlets were not of the highly offensive character imputed to them—that one of them in Bengali which appeared to give the greatest umbrage to Government was "not a publication of yesterday," but had been in peaceful circulation for several years—and that "the habit of the Missionaries of preaching publicly in the town of Calcutta, on the topics of religion, was also nothing new, but would on due examination be found to have been practised there by them for *nearly five years* back, in which time no notice had been taken of their proceedings, nor had disturbance to his knowledge been the consequence thereof."

But, the Governor-General and his Council were inexorable. An official communication was addressed to the Missionaries, strictly "prohibiting the issue of any publications from their press, of a nature offensive to the religious prejudices of the natives, or directed to the object of converting them to Christianity". At the same time, "The Right Honourable the Governor-General in Council deemed it necessary to desire that the practice of preaching at the house employed for that purpose in the town of Calcutta, be immediately discontinued." Positive instructions were also conveyed to "G. Dowdeswell, Esq., Superintendent General of the Police, and the Magistrates for the town of Calcutta," to adopt the necessary measures for giving full effect to the decision of the Supreme authorities. Thus, in the very teeth of the Divine command, "Go ye into *all* the world and *preach the Gospel* to *every* creature," was the preaching of the Gospel, authoritatively prohibited by nominally Christian Rulers, among these eastern unreclaimed realms of heathenism.* /250/

*In India there was at least one man who could not eye these arbitrary and anti-christian proceedings in silence—one man, whose jealousy for

While, in reference to the natives of this land, *Christianity*, the only true religion, promulgated from heaven for the regeneration of the entire family of men, was thus virtually suppressed by the Heads of the British Government in India, *Hinduism* /251/ and *Muhammadanism*, the grand antagonists of the *only divinely revealed Faith*, continued to enjoy the nurturing

the honour of his heavenly master and His cause, led him to dare the frown of the government which he served—and that was, Dr. Claudius Buchanan. To the Governor-General in Council he addressed a memorial or remonstrance of a character so bold, energetic, and uncompromising, as to draw down upon himself the heaviest denunciation of the Supreme Government. The stroke had evidently fallen on some real sores. For so keenly did the members of Government smart under the cutting animadversions of the memorialist, that they felt themselves compelled to address a conjoint letter of complaint and self-vindication to the Court of Directors.

Most certainly the Rev. Doctor did not mince the matter. His trumpet gave no uncertain sound. Would that, in this respect, his example were more frequently and faithfully imitated by the Christian servants of government in our own day! But ours are days of unmanly compromise, when truth can be sacrificed for politeness or for pelf, and faithfulness to Heaven's king bartered away for the smile or the favour of earthly potentates.

After a brief preamble, the Revd. Remonstrant thus proceeds:—

"It will not have escaped your Lordship's observation, even in the short period since your arrival, that some of the officers of your Lordship's Government do not manifest any zeal for promoting the knowledge of the Christian religion in India; they consider that a zeal in this respect would not be consonant to a wise and prudent policy. I am willing to believe that they advise according to the best of their judgment; but a principle pure and just in itself, if it be not tenderly exercised in reference to their important obligations, may become extravagant or pernicious. For instance, not to promote Christianity may in certain circumstances, be prudent; but to repress Christianity will not, I think, in any case, be defended. It is not necessary to observe to your Lordship how much the minds of Europeans assimilate to the native character after a long residence in this country, and how difficult it is for men even of good sense and honest intentions, while involved in the mist of this prejudice, to view the Christian Religion.

During the administration of the Marquis Wellesley, the spirit of

patronage of the same high authorities ! We judge not of secret motives. These were doubtless of a mixed character. Our appeal is /252/ simply to avowed reasons and overt acts. An utter deadness to every thing worthy of the name of *vital, spiritual, personal* religion, may have been the substratum or congenial soil from which sprung up so luxuriantly the kindred crops of ignorance /253/ indifference, and even hostility to the true faith,

promoting learning and religion in India, was general and ardent ; but after the departure of that nobleman, a great revolution took place. A spirit directly adverse to the diffusion of religion in India, most unexpectedly broke forth, just as if it had been confined by his presence. This spirit appeared long before the insurrection in Vellore. I mention this, lest your Lordship should suppose that it originated with that event ; for I understand that the "Massacre at Vellore" has been unaccountably adduced as some sanction to the principle of opposing the progress of the Christian Religion in Bengal. I had opportunities of judging of the causes of that event, which were peculiar. I was in the vicinity of the place at the time ; I travelled for two months immediately afterwards in the province adjacent, with the sanction of Government : and I heard the evidence of Christians, Muhammadans, and Hindus, on the subject. That the insurrection at Vellore had no connection with the Christian religion, directly or indirectly, immediately or remotely, is a truth which is capable of demonstration.

The spirit so hostile to the progress of Christianity in India, appeared first in operation about two years ago, and has been acquiring strength ever since. It has exhibited itself in a series of acts, the recital of which will sufficiently illustrate to your Lordship the tenor of mind which produced them. These acts are, however, not to be considered as the official and acknowledged measures of the respectable persons who preceded your Lordship in the Government. Sir George Barlow has often expressed his approbation of the means used for the diffusion of Christianity in India, and he sincerely desires its success. These measures have not been generally considered as the offspring of his unbiassed judgment. Besides, most of them are extra official, and with some of them he is perhaps yet unacquainted. They will probably appear to your Lordship to have been dictated by a timorous policy proceeding from minds somewhat agitated by the responsibility of a weighty empire, viewing at the same time Christianity as an innovation in India, and magnifying that innovation, perhaps, into a revolution."

The author next proceeds to enumerate and comment with great but

and of tenderness, protection, and active countenance towards the false. Not sufficiently alive to the obligation due to the sovereign Lord of the universe, or to the preciousness, grandeur and authoritative sanction of the truths of revelation, these were in a manner concealed from the mind's eye, or shrunk into points of minor concern, or cast out as troublesome intruders on the stage of carnal policies. Thoroughly alive, on the other

just severity on some of the leading acts alluded to. Amongst them, he dwells particularly on "The withdrawing the patronage of government from the translation of the Holy Scriptures into the oriental languages"—the "attempting to suppress the translation of the Scriptures"—the "suppressing the encomium of the Honorable the Court of Directors, on their venerable Missionary the Revd. Mr. Swartz," and the "restraining the Protestant Missionaries in Bengal, from the exercise of their functions, and establishing an imprimatur for theological works." Having enlarged on these subjects, and reprobated the acts respectively involved in them, the author takes up the principal plea alleged in vindication, and thus deals it :—

"I now beg leave to request your Lordship's attention to the plea on which these proceedings against the Protestant Missionaries have been grounded. It is this : "that the public faith has been pledged to leave the natives in the undisturbed exercise of their religions." This is a proper pledge of our legislature. It is proper not to disturb the natives in the exercise of their religion ; nor has this pledge ever been broken directly or indirectly. It is proper not to interfere with, or by violence to prevent, the superstition of the natives, if not criminal in itself, or affecting the public. But if, by the expression "not disturbing the natives in the exercise of their religion," be meant that "we are not to use means for diffusing the knowledge of Christianity among them," then it is to be observed that this pledge has been violated by every Government in India, and has been systematically broken by the Honourable the East India Company from the year 1698 to the present time. The fact is, they have pledged themselves to a conduct just the reverse. The East India Company hold this country by a charter, which expressly stipulates that they shall use means to instruct the Gentoos, &c. in the Christian religion. William 3rd,—September 1698. And this stipulation is in perfect accordance with their pledge of not disturbing the natives in the exercise of their superstitions by force, inasmuch as it is a very different thing to apply arguments to the mind and to inflict wounds on the body. It is their duty to civilize their barbarous subjects and to teach them humanity, and for that purpose,

hand, to the obligation due to superior earthly potentates, and to the paramount duty of preserving, extending and consolidating a mighty territorial and commercial empire, all considerations were absorbed in the means of accomplishing these great secular ends. The ends having been fully and definitively determined on, all manner of means adapted to their accomplishment must be unhesitatingly sanctioned and pursued. The question did

to address their understandings and their affections. At the same time it is their duty not to disturb the exercise of their superstition by compulsory acts ; and the legislature has stipulated for the performance of both duties ; and the first duty is as positive as the second. They first stipulate to do good, and they next stipulate not to do evil ; and in consequence of this stipulation, the honourable Company have constantly aided the Christian missions in India, and at this time, they devote a considerable sum annually to their support. The Protestant Mission in Bengal commenced in 1758. The honourable Company's ships brought out the annual supplies for this Mission, and before the year 1770, religious tracts were translated into the Bengali language ; and Hindu Christians preached to their countrymen, in the time of Hastings, in the town of Calcutta. This Mission continued its labours till about the year 1790, when the supply of Missionaries from Europe failed. It was succeeded by the present Mission at Serampore, 1793.

The Calcutta Mission was of extensive use in disseminating Christian principles through northern India. They sent Arabic New Testaments to the court of Shah Allum, the Muhammadan King of Hindustan, then resident at Allahabad. The priests of his Majesty returned their thanks to the Missionaries and requested that "the supply might be continued." It was continued for a time, and an investment of Arabic bibles is soon expected, under the sanction of the Honourable Company, for a similar purpose. Little of the influence of Christianity in India has come, as yet, to the knowledge of the public. Englishmen in general know as little of the state of Christianity in India as of the state of Hinduism. Two Christian Missions were at the same period tolerated by Shah Allum, one of which had existed since the time of Akbar the Great, and both of which exist unto this day.

At Seringapatam, under Hyder Sultaun, the Muhammadan prince of Mysore, the most complete toleration was permitted. In the Appendix to the enclosed pamphlet, your Lordship will see with what ardour the preaching of Swartz was received at Seringapatam and how the noble Muhammadans and Hindus desired to learn from him [what was the "right prayer." Romish Missions were tolerated by Hyder, at the same

not seem to be, whether any particular class of means was in itself intrinsically lawful and right—in strict accordance with the principles of immutable truth and rectitude ;—but, whether any particular class of means appeared to be suitable for the promotion to the end in view ? If the latter ; then must the means be chosen, without any very nice or scrupulous regard to their inherent character. It is enough that they are found to

time. Tippoo Sultaun was more intolerant than his father. He was at times a persecutor, yet he did not quench Christianity ; and Missions now flourish in various parts of the Mysore country.

After these authorities, we certainly shall not refer to the Muhammadan Munshis in Calcutta, for their opinion on the general relations of religious toleration in India.

I do not know whether your Lordship has been informed, that there are two Roman Catholic Missions in Bengal and the provinces adjacent. They have existed for a long period of time, and have been tolerated by the Muhammadan, Hindu, Seik, Nepaul and Tibet Governments. They have preached and published what they pleased, without any official restriction that we ever heard of, and they now continue to follow their functions under the protection of the English Government, while the Protestant Missionaries are restrained and their theology is subjected to an official license.

The proceedings against the Protestant Mission will naturally be supposed at home to have been called forth by some public commotion in Bengal, or by the bad moral character of the Missionaries. As to the first, they will be happy to hear, that we are now and long have been, in a state of almost torpid tranquillity ; and as to the character of the Missionaries, the Government has acknowledged them to be men of quiet demeanour, of pious intentions, and as deserving countenance and respect for their literary labours.

It has been the usual conduct of Asiatic Governments to let Christianity alone. In the annuals of the British administration in India, has there been no instance of the suppression of a Christian Mission ? Our empire here subsists by the discrepancy of religious opinion. It is not good policy to strengthen the Hindu religion, or to strengthen the Muhammadan religion ; but it is good policy to strengthen the Christian religion, because it is as yet the weakest. It is certainly our duty not to oppose it, for if this counsel be of God, we 'cannot resist it. And it would now be as easy to oppose the rushing of the Bore in the river Ganges, as to oppose the entrance of Christianity into the province of Bengal."

promote the end so devoutly desired—so earnestly prosecuted. *The end will justify the means!* If, therefore, *Christianity* itself—divinely revealed though it be, and fenced all around by the shield of omnipotence,—be found, in the erring apprehensions of fallible men, to stand as a barrier in the way of aggrandising projects of temporal power, wealth and renown, it must be set aside—its claims dishonoured—its authority disowned. If, on

The same spirit of active persecution which laid an arrest on the peaceful labours of the Missionaries, and would, if possible, scourge themselves out of existence, was soon destined to come down on their remonstant apologist himself. Dr. Buchanan had, in the course of his public ministerial prelections, delivered a course of Lectures on the Scripture Prophecies. No sooner had he finished his course than he "had the honour to receive a letter from the Chief Secretary to the Government, desiring that he would submit, for the inspection of Government, the manuscript of the sermons, which he intended to publish." The author, in a long epistle addressed to the Governor-General, Lord Minto, replied, saying,—“I shall willingly submit these discourses to your Lordship’s perusal, and shall be happy to receive such observations on them as your Lordship’s learning and candour may suggest; but I cannot submit them to the judgment of the officers of Government.” His reasons for declining to comply with the wishes of Government in this respect, he felt it incumbent on him to state at length. And, having done so in a way the most solid, convincing, and satisfactory, he thus concludes:—

“After the perusal of the foregoing pages, your Lordship will be prepared to understand the cause of the late alarm regarding the Prophecies; not a public alarm indeed, but the alarm of some of the officers of your Lordship’s Government.

Having had occasion lately to preach a series on the Christian Prophecies in the Presidency Church, some of the congregation expressed a wish that I would permit them to be printed, observing, that they had before made a similar request without effect; but as I was now about to return to Europe, they hoped I would bequeath to them these few discourses.

When it was understood by the Officers of Government, that the Sermons on the Prophecies were to be published, they were alarmed—your Lordship will scarcely divine the cause—it was this:—It seems these Prophecies declare, “that all nations shall be converted to the religion of Christ.” But if this be true, it was argued, what bad news to the Muhammadans and the Hindus. In short, the advertisement,

the other hand, *Hinduism* and *Muhammadanism*,—spurious though they be in their origin, and doomed, like all systems of error, ultimately to perish before the breath of the Almighty's displeasure—be found to further, in any way, direct or indirect, such aggrandising projects, these must be sedulously guarded, cherished and extended in their influence. But, be all this as it may, in regard to the primary originating cause, the fact

announcing the intended publication of the Prophecies which was sent, to the Government Gazette, was suppressed: the advertisement itself was delivered in with trepidation to Government, and an order was immediately issued to the printers of the other papers, forbidding them to publish the alarming notice. In consequence of this order, it has been publicly understood that the Christian Prophecies are suppressed by authority.

I now beg leave to submit it to your Lordship's judgment, whether, in the view of the temper of mind displayed above, it would be proper in me to subject my compositions to the opinion and revision of the Officers of your Lordship's Government. Might there not be some danger in committing the Christian Prophecies to be altered and new modelled by men who favour the disciples of Muhammad and Brahma? I incline not to commit them to the hands to those officers, from another consideration; it would be a bad precedent, I would not that it should be thought, that any where in the British dominions, there exists any thing like a civil inquisition into matters purely religious.

It is nearly two months since I received the letter from Government on this matter—, and I have not yet communicated my intentions. I now beg leave to inform your Lordship, that I do not wish to give Government any unnecessary offence. I shall not publish the Prophecies.

At the same time I beg leave most respectfully to assure your Lordship, that I am not in any way disappointed by the interference of Government on this occasion. The supposed suppression of the Christian Prophecies has produced the consequence that might be expected. The public curiosity has been greatly excited to see these Prophecies; and to draw the attention of men to Divine predictions could be the only object I had in view in noticing them in the course of my public ministry. Another consequence will probably be, the Prophecies will be translated into the languages of the East, and thus pave the way as has sometimes happened, for their own fulfilment.

Your Lordship will be enabled better to understand the real nature of this alarm regarding the Prophecies, when you are informed of the



itself is undoubted—it has long ere now become one of the salient points in the page of authentic history, that, in India, /254/ at the beginning of the *nineteenth* century of the Christian era, Christianity was virtually proscribed by a professedly Christian Government, while Hinduism and Muhammadanism, two of the mightiest of Anti-Christian systems, were, by the same Government, favoured by support and loaded with honour!

The Earl of Minto, having succeeded, to his heart's content, in crushing the efforts of Christian Evangelists, next, directed his attention to the Heathenish Institutions which owed their origin and support to the munificence of some of his predecessors. These he resolved not only to perpetuate but to render still more efficient. And not only so,—but his purpose

alarm which was excited about half a year before your Lordship's arrival, by the ancient "Christian tablets,"

In consequence of the enquiries, sanctioned by the Marquis Wellesley, into the history and literature of the Syrian Christians of Travancore, some ancient manuscripts were announced, and also certain "Brass Tablets" of great antiquity, containing the privileges of these ancient Christians, asserting their rights of nobility, and declaring withal that they had a king; your Lordship can hardly conceive the apprehensions which were excited by this discovery, in the minds of those who have been lately alarmed by the Prophecies Even at the first, it was accounted an ominous mission to go "to rake up the ashes of Christianity" in the very midst of the Hindus. But when it was announced that there were "glowing embers," nothing less seemed to be expected than that all Hindustan would shortly be "in a flame". For if it was true that Christianity once flourished in Hindustan, it followed that it might flourish again. It was devoutly wished "that these Christian Tablets might sink to the bottom of the sea", and even the curiosity of the Hindu antiquaries was quenched in this horror of Christianity.

That your Lordship may be assured that this alarm was real and not fictitious, it is only necessary to add, that when the article of literary intelligence published in the *Bombay Gazette*, containing the account of these ancient Christians, and of these "brass plates" (which account was certainly interesting to the Christian world in general, and to men of letters in particular) arrived at Calcutta, it was suppressed by authority as something dangerous to the State, and the Bishop of Llandaff's letter on the Civilization of India had nearly shared the same fate,"

was consentaneously formed to add to their number, at the expense of the State. In 1811, he committed his views on the subject to writing, in an elaborate Minute. And as this document is one of great historical importance, and at the same time, one that is little known, we shall here quote its more material or important parts entire :—

Fort William, 6th March, 1811.

"The Governor-General :

"It is a common remark, that science and literature are in a progressive state of decay among the natives of India. From every inquiry which I have been enabled to make on this interesting subject, that remark appears to me but too well founded. The number of the learned is not only diminished, but the circle of learning, even among those who still devote themselves to it, appears to be considerably contracted. The abstract sciences are abandoned, polite literature neglected, and no branch of learning cultivated but what is connected with the peculiar religious doctrines of the people. The immediate consequence of this state of things is, the disuse, and even actual loss, of many valuable books ; and it is to be apprehended, that unless Government interpose with a fostering hand, the revival of letters may shortly become hopeless, from a want of books, or of persons capable of explaining them.

The principal cause of the present neglected state of literature in India is to be traced to the want of that encouragement which was formerly afforded to it by princes, chieftains, and opulent individuals under the native governments. Such encouragement must always operate as a strong incentive to study and literary exertions, but especially in India, where the learned professions have little if any other support. The justness of these observations might be illustrated by a detailed consideration of the former and present state of science and literature at the three principal seats of Hindu learning, viz. Benares, Tirhoot, and Nuddea. Such a review would bring before us the liberal patronage which was formerly bestowed, not only by princes and others in power and authority, but also by the

Zemindars, on persons who had distinguished themselves by the successful cultivation of letters at those places. It would equally bring to our view the present neglected state of learning at those once celebrated places ; and we should have to remark with regret, that the cultivation of letters was now confined to the few surviving persons who had been patronized by the native princes and others, under the former government, or to such of the immediate descendants of those persons as had imbibed a love of science from their parents. /255/

It is seriously to be lamented that a nation, particularly distinguished for its love and successful cultivation of letters in other parts of the empire, should have failed to extend its fostering care to the literature of the Hindus, and to aid in opening to the learned in Europe the repositories of that literature.

It is not, however, the credit alone of the national character which is affected by the present neglected state of learning in the East. The ignorance of the natives in the different classes of society, arising from the want of proper education, is generally acknowledged. This defect not only excludes them, as individuals, from the enjoyment of all those comforts and benefits which the cultivation of letters is naturally calculated to afford, but operating as it does throughout almost the whole mass of the population, materially to obstruct the measures adopted for their better government. Little doubt can be entertained that the prevalence of the crimes of perjury and forgery, so frequently noticed in the official reports, is in a great measure ascribable, both in the Muhammadans and Hindus to the want of due instruction in the moral and religious tenets of their respective faiths. It has been even suggested, and apparently not without foundation, that to this uncultivated state of the minds of the natives is in a great degree to be ascribed the prevalence of those crimes which were recently so great a scourge to the country.

The latter offences against the peace and happiness of society have indeed for the present been materially checked by the vigilance and energy of the police, but it is probably only

by the more general diffusion of knowledge among the great body of the people that the seeds of these evils can be effectually destroyed.

Sufficient, I presume, has been already said to show the fitness of incurring some additional expense with a view to the restoration of learning in the extensive provinces subject to the immediate government of this presidency. I say "additional," because some expense is already incurred for the maintenance of students, at Nuddea, and a liberal sum is allowed for the support of a Hindu College, on an extensive scale, at Benares. In the former case, however, the expense allowed is quite insufficient for the ends proposed, and in the latter, the institution requires to be remodelled, in order to adapt it to the prevailing opinions and habits of the natives, and to correct the abuses which have crept into it. The following points appear particularly to demand attention in revising the rules established for the government of the College of Benares.

1st. A prejudice appears to exist among the Hindus at that city against the office of professor, considered as an office, or even as a service ; and the most learned pandits have consequently invariably refused the situation, although the salary attached to it is liberal.

2nd. The feuds which have arisen among the members of the college and which may be ascribed chiefly to the avarice and malversation of the former native rector, entrusted with authority over the rest, and with the payment of their allowances have tended materially to defeat the objects of the institution.

3rd. That part of the plan which supposes the attendance of teachers and pupils in a public hall, appears to be inconsistent with the usages of the Hindus. It has not only never taken effect, but has tended to prevent the professors from giving instruction in their own houses.

It is scarcely necessary to add, that in correcting the above defects in the constitution of the College at Benares, it will be proper to guard against the introduction of them at any other colleges which may be established.

After the foregoing remarks it only remains to state the number of /256/ Colleges which I would at present propose should be established in this country, with a view to the restoration of learning and the more general diffusion of knowledge among the great body of the people, and the principles on which I conceive, after making all the inquiries of which the subject is susceptible, that they should be managed.

I would accordingly recommend that in addition to the college at Benares (to be subjected of course to the reform already noticed) colleges be established at Nuddea and at Bhour, near Bhowr, in the district of Tirhoot.

It will be observed that in the foregoing remarks, I have confined myself almost exclusively to the plan necessary to be adopted for the restoration of Hindu science and literature. Considerations similar to those which have weighed with me in recommending that plan would naturally induce me to propose similar arrangements for the revival of letters among our Muhammadan subjects, and the more general diffusion of knowledge among that part of the community. With the difference only in the population of Hindus and Muhammadans, all the arguments which have been above stated in support of the arrangements proposed to be adopted for the propagation of knowledge among the former would equally apply to similar institutions for the benefit of the Muhammadans. A sentiment of deference, however, for the Honourable Court of Directors restrains me from recommending any extension of the plan until their orders shall have been received on the subject generally of this Minute. I deem it therefore sufficient to add, on the present occasion, that Muhammadan colleges might be beneficially established at Bhaugulpore, Juanpore, (where Persian and Arabic literature formerly flourished), and at some place in the ceded and conquered provinces; and that it might be advisable to reform the Madrissa or Muhammadan collegiate institution at Calcutta, on the principles recommended with respect to the Hindu Colleges. The attention of the Honourable Court will be of course drawn to this interesting subject in the next dispatch from the Revenue Department."

If the present article had not already exceeded the intended limits there are many topics furnished by this Minute, which might well become the subject of lengthened remark. But at present we must forbear—resting satisfied with the bestowal of a passing glance on one or two leading points.

It is impossible to pursue the Minute without being struck at the vast strides which have since been made in the diminution or abatement of hereditary and apparently inveterate native prejudices. The dogma of the alleged *immutability* of Hindu sentiments, habits and practices, has long been effectually exploded from the creed of enlightened and thoughtful men. And to attempt to revive it now, after being shattered by the successive shocks of so many demonstrations, would only cover the revivalist with shouts of derision. But though the dogma of *absolute* immutability be a demonstrated fiction, it would be an error of equal magnitude to rush into the opposite extreme. The truth, as usual in such cases, is to be found in the golden mean. Hindu sentiments, habits and practices are certainly not immutable; but they have, it must be candidly acknowledged, a wondrous *tenacity* and *durability* about them,—/257/ a wondrous power of cohesion, which often renders the relaxation and removal of them a work of the greatest difficulty—requiring the slow lapse of whole periods of time, and the gradual and almost imperceptible attrition of a thousand concurrent circumstances. By turning to our former article on the state of indigenous education, under the head of *Sanskrit Schools*, the genuine system of Brahmanical discipline and instruction will be found portrayed. The established custom is, for each learned Pandit to set up an independent School or College for himself—converting one or more apartments of his own house into school rooms and lodgings for the students, or erecting separate apartments for these purposes, contiguous to his own dwelling. How wholly different such a system is from the European one of salaried Professors, acting in concert in a common college, or University, and meeting in common halls, must be obvious, without the aid of remark or comment.

And with such inveterate tenacity did the Brahmans of Benares cling to their own ancient national custom, that the bribe of liberal salaries, the honors and reputation of a dignified office, and all the power and patronage of the Supreme Government failed, even after the persevering and uninterrupted efforts of *twenty* years, to secure any essential modification of it. The Supreme Government had to acknowledge itself completely worsted ; and, yielding to the passive but successful resistance of the Brahmans, it was at length compelled to retire as a foiled party from the contest,—surrendering its own improved and fondly cherished plans of collegiate administration, in deference to the long established “usages of the Hindus !” Thus far the dogma of supposed immutability seemed to be confirmed, and threatened triumphantly to maintain its ground, in the face of frowns and favours, authority and renown. But, alas, for the doctrine of the immutables, long before twenty years more had elapsed, the prejudices of the Brahmans and their students not only became relaxed, but suddenly gave way, like a projecting crag which had been thoroughly undermined by the incessant dash and washing of the waters. Every where may the proud “sons of Brahma” be now found, not merely ready to accept, but eagerly, yea ravenously competing for offices, which their sires or grandsires would have spurned from them with lofty indignation and disdain. Not only do they appear as earnest candidates for lucrative professorships and posts of honour in Government Colleges—willing to submit to all the restraints and innovations of a European regime—but as competitors for the humblest teacherships in a Missionary school : yea more, even in the holy city of Benares itself, as we have been credibly /258/ informed, may Brahmans be found, who, for the sake of a trifling hire, are prepared to accompany the Missionary to his preaching bangalow ; and there engage, as interpreters, in expounding to the assembled multitude, those sacred verities, the general prevalence of which would tear up the entire fabric of Brahmanism from its very foundations. So much for the alleged immutability of Hinduism and the Hindus !

But abandoning the department of miscellanies, let us at once fix our view on the *main object* of the Minute. To behold a great Ruler turning aside from what are ordinarily reckoned the cares of empire—its financial, juridical, and military affairs,—and directing his mind and attention to *educational* subjects, which concern the intellectual and moral improvement of the people—is, abstractedly considered, a gratifying spectacle. But the gratification is vastly diminished, if not utterly supplanted by a contrary feeling, when we come to discover the partiality of his views, and the meagreness, the inadequacy, and even the unworthiness of his leading design. For what was the *leading design* of Lord Minto's Minute? To prevent any misapprehension, let it be read and re-read: and then let the question be answered, what is its *main scope and object*? It indites something like an elegy, or funeral dirge, over the progressive decline and fall of Science and Literature among the Natives of India. But what Science and Literature? *None other than the Science and Literature, so called, which constitute the staple and substance of unmixed Orientalism.* It vindicates most earnestly "the fitness of incurring some additional expense with a view to the *restoration of learning* in the extensive provinces subject to the immediate Government of this presidency." But, of what "*Learning*" is the "restoration" thus pleaded for? The restoration, to its ancient and pristine vigor, of *pure and undiluted Orientalism.* From beginning to end, there is not the remotest hint or allusion to the desirableness or even possibility of introducing, in whole or in part, by implantation or engraftment, the improved Literature and Science of Europe—embodying, as these do, all that is magnificent in discovery, ennobling in truth, and elevating in sentiment. No! *Orientalism—the whole of Orientalism—and nothing but Orientalism*—is the sole burden of the Educational Minute of the Christian Viceroy of British India.

It is also worthy of note, how entirely and studiously the enlightenment of the great masses of the people is excluded from proposed measures of the Governor-General. Allusion, indeed, is made to "the ignorance of the natives, in the different

classes of society, arising from the want of proper education ;" it is also "even suggested," that, to "this uncultivated /259/ state of the minds of the natives, might in a great degree be ascribed the prevalence of those crimes which had proved so great a scourge to the country"; and, while due credit is given to "the vigilance and energy of the police," in materially checking aggravated offences against the peace and happiness of society, it is cautiously hinted, "that, *probably* only by the more general diffusion of knowledge among the great body of the people, the seeds of these evils would be effectually destroyed." But, all the while, *nothing whatsoever of an educationally remedial character is proposed or even alluded to, as regards "the great body of the people"*. On the contrary, no Education whatever is proposed but a *learned* education; no classes whatever of the community are provided for, but the learned and more *respectable* classes. So far as the Governor-General's Minute is concerned, *the teeming myriads, which constitute the overwhelming majority of the population, are coolly and deliberately considered to all the evils of a hopeless and incurable ignorance ?*

It is in vain to allege, that, by the education of the learned classes the multitudes of the people must be at least indirectly benefited. In the present instance, no benefit of the kind could possibly accrue to them. The knowledge which constitutes the staple of Orientalism is not like *true* knowledge, which is as generous as it is true—which, like the light of heaven, delights in diffusing itself all around, and lives and flourishes by the increasing communication of its enriching influences. No; learned Orientalism is of an *exclusive* and *isolated* character; it lives and flourishes best when *monopolized by the few*, whom it elevates above the mass—separating them therefrom in interest and in feeling,—aggrandising them with special endowments—and investing them with peculiar immunities. Towards the great body of the people it never has manifested, and from its very nature, never can manifest, any sympathy or kindred feeling whatsoever. It has ever kept loftily aloof from any contact or alliance with them—regarding

their very touch as that of essential contamination. The spirit and language of its treatment of them has ever been that of the most lordly aristocratic pride :—

Odi profanum vulgus, et arceo.

Accordingly, Mr. Adam, the Government commissioner, as the result of his extensive observation and research, positively testifies that there is not "any mutual connexion or dependance between Vernacular and Sanskrit Schools", that is, schools intended for the instruction of the great body of the people and those designed for the learned classes—that the former /260/ "are not considered preparatory to the other ; nor do the latter profess to complete the course of study which has been begun elsewhere ; they are two separate classes of institutions, each existing for *distinct classes* of Society—the one, for the trading and agricultural, and the other for the religious and learned classes,"—that "it seems never to have entered into the conceptions of the learned that it was their duty to do something for the instruction of those classes who are as ignorant and degraded where learning abounds as where it does not exist." And, as a lasting proof of the utter disconnection between learned Orientalism and the intellectual improvement of the humbler classes of society, it is a *simple historic fact*, that, in Tirhoot and other districts where the learned institutions abound most, *there*, the vernacular schools are fewest in number, and the general ignorance of the people most intense !

Even as regards the learned classes themselves, for whom *alone* the Governor-General's Minute proposed to make any provision, the boon of a *purely Oriental Education*, such that discarded on, must be accounted as of more than a questionable character. This can be doubted by no one who will candidly peruse the detailed statements and illustrations furnished in a previous number, when treating of the subject of "indigenous education." Instead of elevating the intellect and purifying the morals, it was there shewn, that the direct tendency and inevitable effect of learned Orientalism was, to replenish the former with senseless and useless hair-splitting subtleties, and to vitiate the latter by the systematic inculcation of perverted

maxims, and the virtual concession of boundless license of indulgence. Never, assuredly, did ignorance of the *real nature* of the subject of which he treated, betray any man into a more fatal mistake, than when the Governor-General of India was tempted to record it as his conviction, that "little doubt could be entertained that the prevalence of the crimes of perjury and forgery, so frequently noticed in the official reports, was, in a great measure, ascribable both in the Muhammadans and Hindus, to the want of due instruction, in the moral and religious tenets of their respective faiths." The direct contrary of this statement would far more truthfully represent the reality. It is in the matter of what Sir William Jones designates "light oaths and pious perjury," that the great Orientalist himself pronounces the morals even of the reputedly divine Lawgiver Manu to be "unaccountably relaxed." And all experience has concurred in testifying that the classes of persons most addicted—most habitually and inveterately addicted—to the crimes, referred to in the Governor-General's minute, are not those who are least /261/ instructed, but those who are best instructed in "the moral and religious tenets of their respective faiths"—that these faiths have little in them to lessen, but much, very much to augment, the amount and variety of personal delinquency,—and that the diminution or mitigation of breaches of the moral law is not ordinarily in the direct, but in the inverse ratio of a vigorous and flourishing Orientalism.

But it is time to bring our comments to a close. The date of Lord Minto's Minute, *6th March*, 1811, we may well regard as the *culminating point* of the hitherto ascendant star of *pure unmixed Orientalism*, in immediate connection with government educational measures. Having then reached its zenith it will hereafter be our happy endeavour to point out how it passed the meridian, and began gradually to decline. In the mean while, our ungrateful task, in tracing its rise and progress towards an unrivalled ascendancy, is ended. Unpleasant, in many respects, as the task has been, its discharge was demanded by the sacred interests of truth; and its execution, however

distasteful to the interested few, may not prove either wholly unpalatable or unprofitable to the disinterested many.

Escaped from the horrors of the tempest and the perils of shipwreck, the hero of the *Æneid* felt that the day might come, when a deliverance so wondrous, from the disasters of the past, might, in the remembrance of it, gild with a brighter halo of joy the improved fortunes of the future :—

Forsan et hæc olim meminisse juvabit.

Think of the grateful joy of the traveller, who,—amid the balmy freshness of the morning breeze, and the growing effulgence of the "King of day", as he advances with his retinue of glory in the upper heavens,—can now look back, and calmly survey the conterminous thicket, which concealed the couching lion—or the tremulous quagmire, which he so narrowly skirted,—or the frightful precipice, along whose dangerous brink he had so anxiously threaded his way. Think of the grateful joy of the mariner, who, with an open sea before him, and the signs and tokens of fair weather streaming in blushing profusion through the circling firmament, is enabled to look back, and calmly to gaze at the eddying surges of the whirlpool, by which his vessel might have been engulfed,—or the treacherous quicksands, on which it might have been stranded,—or the sunken rocks, on which it might have been dashed to pieces. Think of the grateful joy of the ruralized citizen, who, from his unshattered abode and undamaged domain, can coolly contemplate the ravages of the hurricane, which demolished the property of his /262/ neighbours—or of the earthquake, which swallowed up their dwellings—or of the volcanic eruption, which covered their vineyards with the fiery streams of molten lava. Think of the grateful joy, whether of the rescued traveller, or mariner, or peaceful citizen :—rather think of the joy of all of these united, and then, may some impression be conveyed, however incommensurate, of the grateful joy which we now experience in reviewing, from our present advanced and more stable position, the unhappy characteristics of a period, that must be ever-memorable in the annals of expediency and guilt :—a period, whose most notable exploits

were, to rob the children of an orphaned world of the charter that ensured the heritage of a father's love—to dash from the hands of the benighted traveller, the lamp which would have illumined his intricate path amid the thorns and pit-falls of the wilderness—to extinguish the beacon blaze which would have warned the hapless mariner from a shore bestrewn with the memorials of former wreck and ruin, and directed his tempest-tossed vessel in safety to the haven of security and rest ;—while, before and behind, was seen rising, conspicuously displayed to view, one sign-post after another, emblazoned with inscriptions, pointing to the concealed caverns of death—and overhead were kept playing, the meteors and false lights, which, ever hovering around the abysses of error, never lose their seductive glare till their deluded victims have been flattered and allured to the very portals of perdition !

Rejoicing in so great a deliverance, let us prove ourselves worthy of it, by redoubled exertions in the great cause of Indian amelioration :

“Our sword has swept o’er India ; there remains
A nobler conquest far,
The mind’s ethereal war,
That but subdues to civilize its plains.

Let us pay back the past, the debt we owe,
Let us around dispense
Light, hope, intelligence,
Till blessings track our steps where’er we go.

O England, thine be the deliverer’s meed,
Be thy great empire known
By hearts made all thine own,
By thy free laws and thy immortal creed.”

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MACAULAY'S EDUCATIONAL MINUTES

BY HENRY WOODROW

THE Indian career of Lord Macaulay extends from 1834 to 1837. During these three years he was the means of reforming the education of India, and as we now see, of simplifying the Law of India also. Few men have been by themselves so instrumental in impressing their stamp on the history of a nation's progress. By his educational reforms the whole system of instruction was directed into the channels which more or less it still retains. By his Penal Code he will direct men. He has more than any other man influenced the School life of the thousands who now crowd our English Schools. They probably know it not, but it is right that they should know and honor the man to whose vigorous exertion they owe their present advantages. His other great work that of reforming the Law was for a quarter of a century under consideration from time to time and one important section that of the Penal Code has, within the last three months, become the law of the land. Seldom does it fall to the lot of one man to be at once the chief Educator and the chief Lawgiver of a vast nation. Such an extraordinary character deserves more than ordinary consideration from Hindus.

Macaulay was born in 1800, and therefore we may tell his age by the years of the century. He was 34 years old when he came to India. His father Zachary Macaulay was for some time the Governor of Sierra Leone, and afterwards the friend and fellow labourer of Wilberforce and Clarkson in effecting the abolition of slavery. Macaulay was educated at home, and when he describes the advantages derived from female instruction, he speaks from personal experience. He entered Trinity College, Cambridge, at the age of eighteen, and after carrying

off the highest classical prize took his degree in 1822. He subsequently won a fellowship at Trinity. The ability he displayed at the Union debating Society at Cambridge attracted the attention of all his contemporaries and brought him to the notice of public men..../214/

Macaulay's first speech on record was made in 1824, at an Anti-Slavery Meeting. It was a noble composition, but of course gave offence to the West India Planters. In 1825, Macaulay contributed to the Edinburgh Review his famous Essay on Milton. It was the first of that brilliant series with which during twenty years he enriched that Review. Soon afterwards in his essay on history he drew a comparison between the Romans in the time of Diocletian and the Chinese. If Hindus were substituted for Chinese the parallel would still be true, Macaulay says, "It would be easy to indicate many points of resemblance between the subjects of Diocletian and the people of the celestial empire where, during many centuries, nothing has been learned or unlearned; where Government, where education, where the whole system of life is a ceremony; where knowledge forgets to increase and multiply, and like the talent buried in the earth, or the pound wrapped up in the napkin, experiences neither waste nor augmentation. The torpor was broken by two great revolutions, the one moral, the other political: one from within, the other from without."

This state of national torpor was the abhorrence of the Essayist, and when the Essayist rose to be member of the Supreme Council of India, and President of the Committee of Public Instruction, that abhorrence became a principle of action and waged uncompromising war with the time-consecrated abuses of toles and Madrussas. Nothing but deeply-seated convictions, unflinching resolution, and vigorous exercise of amazing powers of language and argument could vanquish the serried line of veterans ranked in defence of error.

Macaulay's Minute of the 2nd February, 1835, was the final and decisive blow that settled the contest. On the 7th of the next month Lord Bentinck passed the famous resolution which turned the course of the stream of public education. Sidney

Smith wrote to a friend in 1838, "Get and read Macaulay's papers upon Indian Courts and Indian Education. They are admirable for their talent and their honesty, we see why he was hated in India, and how honorable to him that hatred was." /216/

The first attempt for the enlightenment of the natives of India in the science and literature of Europe was the establishment in 1816 of the Hindu College. This celebrated institution owes its origin to the exertions of Sir Edward Hyde East, David Hare, and Raja Rammohun Roy. When the native community of Calcutta were roused to consider the plan for the establishment of a *Maha Bidyalaya* (i.e. great seat of learning) as the Hindu College was originally termed, it was found that many of the orthodox Hindus held aloof from the plan, and refused to cooperate in any movement with Raja Rammohun Roy. Rammohun Roy accordingly, with a magnanimity worthy of his noble character, retired from the management of the proposed institution. Self-denial such as this is almost unknown in Calcutta, for he was the earliest advocate of the establishment of the College, and was eminently fitted by the gifts of nature, by his high position, wise discretion, deep learning, and earnest patriotism, to develope and carry out his own project. He was willing nevertheless to be laid aside, if by suffering rather than by acting he could benefit his country.

The Hindu College was for many years under native management. In 1823, the funds were so low that application was made to Government for aid ; which was liberally conceded. The capital of the College moreover was reduced to Rupees 21,000, by the failure in 1827 of Baretto's house in which it was deposited. The income accordingly fell to less than Rs. 100 a month. Government supplemented the rest with ever increasing liberality, but till 1841, when its contribution was Rs. 30,000 a year, took but little share in the management. The Hindu College therefore is seldom mentioned in the controversies which raged in the Committee of Public Instruction concerning the management of Government schools.

This Committee was established in 1823 by the Governor-

General in Council, and in the instructions addressed to its members, the object of their appointment is stated to be the "considering and from time to time submitting to Government the suggestion of such measures as it may appear expedient to adopt with a view to the better instruction of the people, to the introduction of useful knowledge, including the sciences and arts of Europe, and to the improvement of their moral character."

The institutions placed under its charge were the Arabic College at Calcutta, and the Sanscrit College at Benares. The Calcutta College was established in 1781 by Warren Hastings, who at his own expense supplied a school house. Government gave lands yielding about Rs. 30,000 a year, and designed the /217/ college for instruction in the principles and practice of Mahomedan law. The Benares College was projected by Mr. Jonathan Duncan, the Resident at that city, in 1791, with a view to "endear our Government to the native Hindus, by our exceeding in our attention to them and their systems the care ever shewn by their own native princes." Lord Cornwallis in 1791 assigned for the support of the College Rupees 14,000 a year, afterwards increased to Rupees 20,000.

On their foundation the Colleges at Calcutta and Benares were placed under native management, and abuses of the grossest kind soon became universal. Mr. Lushington says in his work on the Charities of Calcutta that "The Madrussa was almost useless for the purposes of education;" and that "its ample resources were dissipated among the superior and subordinate drones of the establishment." In 1820, Dr. Lumsden was appointed Secretary and, under his charge, abuses were checked and many reforms in discipline and study were introduced.

After the departure of Mr. Duncan, the early years of the Benares College were remarkable only for an utter absence of instruction and order. Gigantic misappropriations of funds were made by the first Rector, styled by the wonderful name of Sero Shastri Gooroo Tarkalankar Cashinath Pundit Juder Bedea Behadur. Mr. Brooke, the Governor-General's Agent

suggested improvements which were with some amendments carried out by Mr. W. W. Bird in 1812. In 1820, Captain Fell was appointed Secretary and Superintendent, and under him the College attained the reputation for Sanscrit learning that it has since maintained.

With these two institutions the General Committee of Public Instruction commenced its labours. The Sanscrit College at Calcutta was opened by it in 1824; the Delhi College was opened in 1825, for instruction in Arabic, Persian and Sanscrit. The Allahabad School was opened in 1834, and encouragement was given to private Schools at Bhagulpore, Sagar, Midnapore, &c.

In 1834, the operations of the Committee were brought to a stand by an irreconcilable difference of opinion as to the principles on which Government support to education should be administered. Half of the Committee called the "Orientalists" were for the continuation of the old system of stipends tenable for twelve or fifteen years to students of Arabic and Sanscrit, and for liberal expenditure on the publication of works in those languages. The other half called the "Anglicists" desired to reduce the expenditure on stipends held by "lazy and stupid school boys of 30 and 35 years of age," /218/ and to cut down the sums lavished on Sanscrit and Arabic printing. At this juncture, Government requested the Committee to prepare a scheme of instruction for a College at Agra. The Committee were utterly unable to agree on any plan. Five members were in favour in Arabic, Persian and Sanscrit learning, and five in favour of English and the Vernacular, with just so much of the Oriental learned languages as would be necessary to satisfy local prejudices.

The Orientalist party consisted of The Hon'ble H. Shakespear, Messrs. H. Thoby Prinsep, James Prinsep, W. H. Macnaghten, and T. C. C. Sutherland, the Secretary of the Committee. The Anglicists were Messrs. Bird, Saunders, Bushby, Trevelyan, and J. R. Colvin.

Of this Committee, Sir W. H. Macnaghten became Envoy in Affghanistan and was assassinated there, and the Hon'ble J. R.

Colvin died during the mutinies at Agra. James Prinsep is immortalized by his Sanscrit discoveries, and Sir Charles Trevelyan still remains alive, beloved and honored. He deserved, though he did not obtain, for his zealous educational labours in Bengal, the love he has won for his Government at Madras.

Over this Committee, Macaulay on his arrival in India was appointed President, but he declined to take an active part in its proceedings, till the decision of the Supreme Government should be given on the question at issue. The letters of the two parties in the Committee setting forth at great length their opinions, and bearing date the 21st and 22nd January, 1835, came before Macaulay in his capacity of Legislative Member of the Supreme Council, and on them he wrote his minute of the 2nd February, which was followed on the 7th March by Lord Bentinck's decision of the case in favour of the English language. Soon after this decision many new Members were added to the Committee, among whom may be mentioned Sir Edward Ryan, Mr. Ross D. Mangles, Mr. C. H. Cameron, Colonel James Young, Baboo, now Raja Radha Kant Deb, Baboo Rossomoy Dutt, Mr. C. W. Smith, Captain, now General Sir J. R. H. Birch, and Dr. Grant. Sir Benjamin Malkin was added at a later time.

The business of the Committee was chiefly conducted by minute books. The minutes of Sir Charles Trevelyan are very elaborate. He was indefatigable in the cause of education, and had something to say on every subject. Macaulay's minutes are neither so numerous nor so long as Trevelyan's. Threefourths of his opinions on the proposals submitted by Mr. Sutherland, the Secretary, are conveyed in the concise expressions "I approve," "I do not object," "I would decline the offer," &c. /219/

Should some of the opinions of Macaulay concerning expenditure appear unnecessarily harsh and niggardly, it must be remembered that the sum available for English education was but the pittance that could be saved by reductions in the Oriental assignments, and that it was right for him to spend with strict frugality, what was gained at the cost of many painful struggles.

It is often said that if a person cannot write five lines of English without blots and corrections, he must be a very poor scholar indeed. Now, there is no doubt that neatness and accuracy are highly desirable, and that the clear and beautiful writing and the finished style of Lord Dalhousie and of Lord Canning indicate a wonderful power in the use of language. Yet it is a great mistake to imagine that the absence of a habit of writing without corrections is a sure mark of inferiority. Scarcely five consecutive lines in any of Macaulay's minutes will be found unmarked by blots or corrections. He himself in a minute, dated 3rd November, 1835, says, "After blotting a good deal of paper I can recommend nothing but a reference to the Governor-General in Council." No member of the Committee of Public Instruction in 1835, wrote so large and uneven a hand as he, and my copyist was always able instantly to single out his writing by the multiplicity of corrections and blots which mark the page. These corrections are now exceedingly valuable, more valuable than the minutes to which they belong. They are themselves a study, and well deserve a diligent examination. When the first master of the English language corrects his own composition, which appeared faultless before, the correction must be based on the highest rules of criticism.

The great minute of the 2nd February, combines in a small compass the opinions which are expressed in nearly the same words through a score or two of detached remarks in the records. This minute was published in England in 1838, but is difficult to obtain India. I could not find it in any one of the four great Libraries of Calcutta, in the Public Library, nor in the Libraries of St. Paul's Cathedral, of the Asiatic Society, and of the Presidency College. Mr. Arbuthnot, the Director of Public Instruction in Madras, has conferred an obligation on all interested in the preservation of valuable papers by including it in one of his Reports. To rescue it from the oblivion into which it has fallen in Bengal, I add it to these unpublished minutes.

Macaulay's unpublished educational minutes are scattered among some twenty volumes of the records of the General



Committee. Four of these volumes are now lost. Some of the /220/ books were circulated among the fourteen or fifteen members of the Committee, others were sent only to Sub-committees, containing five or six members. There were Sub-committees on finance, on books, on the selection of school-masters, on the Medical College, and on the Hooghly College. Of the books which went the round of the whole Committee, two were reserved for particular subjects, one marked G. was for the selection and printing of books, and another marked I. for Medical College questions. The other books were kept in constant circulation, and as they came back to the Secretary, were started afresh with precis of new topics for discussion. The same matter is consequently discussed at its different stages in different books. The General Committee seldom met. All business was transacted by the books. Several of the Members urged their opinions with greater warmth and earnestness than is now customary in official correspondence. Lord Auckland in his elaborate educational minute of the 24th November, 1839, remarks concerning their discussions, "Unhappily I have found violent differences existing upon the subject of education, and it was for a time (now I trust past or fast passing away,) a watch-word for violent dissension and in some measure of personal feelings. I judged it best, under these circumstances, to abstain from what might have led me into unprofitable controversy, and to allow time and experience to act with their usual healing and enlightening influence upon general opinion."*/221/

*Some extracts illustrating the warmth of feeling, with which the controversy was conducted, were here introduced, but it has been felt undesirable to publish them. — H. W.

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LORD MACAULAY AND HIGH EDUCATION IN INDIA

[BY SURENDRA NATH BENERJEA]

GENTLEMEN,

I do not think it necessary to offer any apology for occupying the position, that by your courtesy, I happen to occupy this evening. But I do confess, I think it a great honor to be allowed the opportunity of addressing an assembly of my educated countrymen, on an occasion like the present, on the occasion of the anniversary of the death of the illustrious David Hare. Gentlemen, there are duties which the heart of man longs to perform. There are obligations which human nature will not allow to remain unsatisfied and unfulfilled. One of those duties, one of those obligations, I conceive to be that yearly tribute of homage and reverence, which we pay to the sacred memory of David Hare. Gentlemen, in the midst of all the perversity and degradation that we see around us, in the midst of all that loathing meanness and baseness against which we so often feel it our duty to raise our humble voices in solemn protest,—I say in the midst of all this perversity, this degradation, this meanness, there is still left in man that noble spark of divine feeling which prompts him to pay his homage at the shrines of departed greatness, and to treasure up, in the depths of heart, the memories of those great and good men, whose lives have been bright examples for our imitation and guidance, and whose actions have shed imperishable lustre, on the history of our race. We may crucify a Jesus Christ, when he holds up for the acceptance of degraded humanity the great principle of the fatherhood of God and brotherhood of man. We may persecute a Joseph Mazzini, exile him, excommunicate him, expel /1/ him from the pale of civilised society, make his life a burden to him, while the hero puts forth his sublime and

gigantic exertions, pours out the last drops of blood in his veins, for the deliverance of his beloved Italy. We may affect to despise the immortal labours of a David Hare ; we may, when he is dead, turn back, with pious indignation, from his so-called unchristian and polluted corpse. We may do all this, and indeed we may do much worse things besides. But when death has supervened, when personal feelings, personal jealousies, personal animosities have all been hushed in the silence of the tomb, when the bitterness of personal rancour has given place to the calmness of the historic judgement, when posterity are in a position to read, in the calm, sober, steady, but not dazzling light of history, the achievements of these great men, then, they spontaneously raise, in the temples of their hearts, those altars of homage and reverence which greatness claims at our hands, and which testify, in language of imperishable import, to the world's gratitude, to its greatest benefactors and most illustrious heroes. The meek, humble, and crucified Jesus is extolled to the divine rank ; Mazzini's name has become the watch-word of human progress and human liberty ; David Hare stands forth from amongst his contemporaries—aye from amongst those who would fain have refused to him the rights of Christian burial, and whose names, let it be recorded to the eternal honor and dignity of human nature, have been forgotten—as the great champion and immortal apostle of English education in the East. Posterity never deal unjustly by the memories of the world's great dead. Contemporaries lost, bewildered, and amazed, amid the dazzling splendour, caused by the too near presence of these great luminaries, often feel only the heat, often feel the unpleasant warmth, but are unable to appreciate the broad streak of light which they cast upon the /2/ path of future generations—are unable to appreciate the greatness of their hearts, the nobility of their disposition, and the splendour of their achievements.

Gentlemen, in addressing you on the present occasion, I may be said to perform a twofold duty. I am grateful to the memory of David Hare, along with the rest of my countrymen. In my case, however, personal considerations

enhance the gravity of my obligations. My late lamented Father was indebted for his medical education to David Hare. Through his sympathy, his kindness, his assistance, my Father was enabled to overcome the resistance which he met from his orthodox parents, in his efforts, to acquire for himself a medical education, and to lay the foundation of that career, with whose brilliant results, it is not necessary for me to concern myself, in this place. While employed as a teacher in his school, David Hare very generously allowed my Father to absent himself several hours, during the day, to enable him to attend the lectures in the Medical College. This address, then, while it enables me to perform a national obligation, enables me, at the same time, to discharge a personal obligation, which, since the death of my Father, has assumed, in my estimation, a peculiarly solemn and sacred character.

Gentlemen, it is admitted on all hands, by those who have ever thought on the subject, that England has a noble mission to accomplish in the East—that she has a great duty to perform, as regards her Eastern Dependency. Now, I ask, what is that mission? What is that duty? The mission of England in the East is to elevate the people of India, to emancipate them from the chains of ignorance, error and superstition, to lead them onward to a higher career of social, intellectual, and political life—that, I conceive, under the orderings of Providence, to be the grand and predestined mission which England has to accomplish in the East. Noble and grand as that mission is, calculated, as it is, in many respects to stir, /3/ to their profoundest depths, the noble susceptibilities of the English people, I grieve to say that this great duty was not recognised, until many long years had elapsed after the English conquest of India. There might have been the impeachment of a Governor-General, there might have been a Burke denouncing the iniquities of Indian officials, pleading in strains of marvellous eloquence, on behalf of the suffering millions of this country. But such denunciations and protests had no effect whatever on the national conscience of England; they did not, in any way, influence the current of national thought or national feeling.



England remained in profound ignorance of her noble mission, her great duties towards her Eastern Dependency, the fulfilment of which would have covered her with immortal honor, and cast into the shade the lustre of her own great and glorious victories. In those days, the enlightenment and elevation of the people of India were thought to be inconsistent with the maintenance of British power in the East. Talk of elevating the people of India, civilizing them, dispelling their ignorance, emancipating them from superstition ! Why, you would lay the axe at the root of British power in India. So thought the great statesmen of the last century. Thus thought, too, English statesmen in the early part of this century. Let me illustrate this remark by citing a case in point. Gentlemen, there was in the year 1811 a member of the House of Commons, whose name was Sir Robert Anstruther. I shall presently tell you who he was. But let me, in the first instance, draw your attention to the remarkable incident with which his name is so unhappily associated. Well, then, one evening in the year 1811, the question of native education was introduced quite incidentally, I believe, into the House of Commons. At once up rose Sir Robert Anstruther from his place, in astonishment and surprise. He knew not (unhappy man !) whether he was standing on his head or on /4/ his legs. He asked, whether it was intended to educate the people of India, and if was it so intended, whether it was really advisable to educate them ? That was the language used in the year 1811, with reference to the education of the people of India. Now, who was this Sir Robert Anstruther ? Well, he was no other than a late Chief Justice of Bengal. He was, therefore, supposed to be a great authority on India, and to know everything about the country. Why, he had sat with English judges in the Supreme Court, had listened to the addresses of English barristers, had served, dined, sported with Englishmen in India, had seldom come in contact with the natives of the country, in the varied relations of social life ! Was he not then a great authority on all subjects connected with Indian progress and enlightenment ? And this great authority was of opinion that it was unsafe, perilous to the



maintenance of British supremacy, that natives of India should receive the benefits of education. It is no wonder, then, that English statesmen, who had never been to the country, should entertain similar views. Well, then, gentlemen, this was in the year 1811, but we are now approaching the year 1813, a year which was destined to witness a complete change in the educational policy of the Government of India. In that year, on the renewal of the Company's Charter, a clause was introduced almost by stealth. It was introduced at the fag end of the debate, by a gentleman whose name I shall presently mention, because I am anxious to rescue that name from unmerited oblivion. That clause was of the deepest importance to the fortunes of India. It was to this effect, that a sum of £10,000 a year should be set apart for the revival and promotion of literature, the encouragement of learned natives of India, and the diffusion of a knowledge of the sciences and arts, among the people of this country. I have given, I believe, almost the words of the section. Gentlemen, I say that the name of the /5/ author of this clause, of this benefactor of our race, should be rescued from oblivion, and engraven on the hearts of our countrymen. The name of this worthy man was Robert Percy Smith. He, too, was in Bengal. But he was in a very different capacity from Sir Robert Anstruther. He was Advocate-General of Bengal. In those happy times, Advocates-General thought it their duty to stand forward as champions of the people's rights and liberties, of their progress and enlightenment. On the motion, then, of Robert Percy Smith, late Advocate-General of Bengal, this clause was introduced in the India Bill of 1813, and a sum of £10,000 was, henceforward, to be devoted to the encouragement and cultivation of learning. Now, then, for the first time, was publicly recognised the great duty of England to educate the people of India. An important step had thus been gained towards the enlightenment of the people of India. But it was, indeed, through stages painfully slow, that the goal was eventually reached. The people of India might indeed be taught, they might receive instruction, they might learn the truths which their own science and their

own literature placed within their reach. But they were to be excluded, at least for the present from the priceless treasures of Western thought and Western learning. English literature, English science, and English culture must remain to them a sealed book. But happily such a state of things was not to last very long; for while this sum of £10,000 was being expended, year after year, for the revival and cultivation of Oriental literature, there was a feeling growing in the native community of Bengal, in favor of the acquisition of Western literature and Western science. We are an astute people. We are not so wholly devoid of sagacity and common sense as some people take us to be. Well, then, our fathers, with the astuteness characteristic of our race, at once saw that England's greatness was, to a certain extent at least, due to her /6/ noble literature, to the immortal truths taught by her science, and to the sublime morality which breathes through the burning words of her great writers and thinkers. England had become great by her literature, her science, her culture. Might not Bengal feebly grope about, in the same direction, and under the same guidance? Thus thought our fathers in the beginning of this century. Such were the hopes and aspirations which agitated the bosoms of those, whose patriotic efforts have placed, within our reach, the priceless boon of English education and English culture.

But astute as we are, we are, at the same time, essentially an intellectual people. Writers and speakers have again and again laid stress upon this trait of our mental constitution. There is, indeed, innate in us, a deep, passionate hankering after knowledge, in whatever shape and in whatever form, it may happen to be presented to us. I read, not long ago, an article in the *Calcutta Review*, from the pen of Mr. Digby, in which that distinguished writer has likened this passion of ours to the intense curiosity, characteristic of the Athenians of olden times. Guided alike by curiosity and self-interest, our fathers resolved to educate their sons in the literature and science of England. Well, then, while this feeling in favour of English literature was gradually developing itself in the native community, there were living two men whose names are remembered

with heart-felt gratitude, and awaken the deepest veneration in our minds. One of them was he, [on] the anniversary of whose death, we have met here to observe this afternoon, and the other was the illustrious Hindu Reformer, Raja Ram Mohun Roy. These two remarkable men fostered this growing feeling, and endeavoured to lead it to a great practical result.

Through the exertions of Mr. David Hare, a meeting was held at the House of Sir Edward Hyde East, then Chief Justice of Bengal, to devise means for the establishment of a Hindu College. Were it not for an incident which is of importance, because it serves to illustrate the character of the Hindu Reformer, I should not have thought it necessary to pause in this place, to refer to this meeting. Raja Ram Mohun Roy took great interest in the movement ; but when his orthodox countrymen learnt that he was to be associated with them in this great work, they positively refused to have anything to do with it. No sooner was the Raja informed of this circumstance, than he at once withdrew himself from the movement, at the same time declaring that the work which had been initiated had his warmest sympathy, and would receive his hearty co-operation. Another meeting was held in May 1816. A committee was appointed ; a subscription list was opened ; money was collected, and on the 20th January 1817, the Hindu College was established. Now, gentlemen, there is one fact connected with the establishment of the Hindu College, which I am anxious pointedly to bring to your notice. The Hindu College was established entirely through the exertions of the people of this country. In its inception it was Indian, in its progress it was Indian, and in its completion it was Indian. The Government had not contributed anything towards its establishment, nor did it contribute anything towards its maintenance, beyond providing for it a local habitation, seven years after it had been opened. It was not until 1825, when the firm of Barretto and Company had failed, and the Hindu College had lost all its funds, that the Government came forward to its rescue. I am anxious to emphasize upon this point, for more reasons than one. This noble temple of science, this magnificent

institution, within whose walls we are gathered together this evening, to perform a holy duty, and which, I confidently predict, is destined, in the fulness of time, to achieve great things for this country, is like the Hindu College, Indian in its inception, Indian in its progress, and, if sufficient funds were forthcoming, would /8/ have been Indian in its completion. Thus there is a marked similiarity between the inception, progress and completion of the Hindu College, and the inception, progress and completion of this temple of science, whose future success we all so devoutly pray for. By the establishment of the Hindu College, the way was prepared for the progress and enlightenment of the country. The Hindu College was now opened, but the £10,000 (we must not forget that £10,000) were being expended year after year, for the promotion and cultivation of Oriental literature. In the year 1824, the Sanskrit College was established to promote Sanskrit learning. In 1825, the Delhi College was opened for the encouragement of Arabic literature, of the cultivation of Oriental science and the revival of Oriental literature in general. Towards the funds of this institution, I may here notice in passing, a magnificent sum was contributed by Nawab Itimut-Dow-lah of Delhi.

But in the meantime, repeated warnings reached the authorities in India from the Home Government, which clearly indicated that the conscience of England was being gradually roused to a sense of the importance of promoting a knowledge of Western science and Western literature, amongst the natives of India. In the year 1824, a despatch was received by the Government of India, a despatch from the pen of the celebrated James Mill, urging on the Government, the necessity of directing their attention to the spread of a knowledge of English science and English literature among the people of this country. But the despatch practically remained a dead letter. The cause of Oriental literature, in the meantime, triumphed. The ten thousand pounds continued to be spent, year after year, upon the study of Sanskrit and Arabic. Such a state of things, however, was not to last very

long. The time was fast approaching which was to witness a change in the educational policy of Government. It could not be, that a civilized Government /9/ could continue very long to shut out the stream of Western learning which was pouring in, from all sides: Dr. Duff had arrived in the country, and in 1830 opened the General Assembly's Institution with five pupils, recommended by Raja Ram Mohun Roy. The object which the great Missionary had in view was, to impart to Hindu youths the benefits of a liberal education, combined with the teachings of Christian doctrines. But was the task of educating and enlightening the people of India to be left to Christian missionaries? Was Government to take no part in this glorious duty? Was Government to reap no share of the honors of such a splendid harvest? Was it merely to confine itself to the spending, year after year, of large sums of money on what might be deemed, comparatively speaking, unprofitable branches of human learning. Thus the claims of English education gradually came to force themselves upon the attention of the authorities in India.

In the year 1835, matters had come to crisis. In that year, the Committee of Public Instruction, the body which controlled the education of the country, found itself divided into two separate parties, one advocating the claims of English education, the other those of Oriental learning. The Committee was equally divided, and there were distinguished names arrayed on opposite sides. Nothing could be done, and the business came to a standstill. It was at this juncture, when matters had reached a crisis, that Macaulay arrived in the country, as Law Member of the Supreme Council. Lord Bentinck at once appointed him President of the Committee of Public Instruction.

Gentlemen, it is not necessary that I should dwell, at any length, upon the English career of Macaulay. It is sufficient for me to say, that he was the son of Zachary Macaulay, a well known philanthropist of his day, that he distinguished himself greatly in college, that he carried off the highest/10/ prizes at Cambridge, and that being returned a member of the House of Commons, he gave great promise of future excellence. Well, in



1835, Mr. Macaulay was appointed Law Member of the Supreme Council.

While the Committee of Public Instruction was in this predicament, Macaulay was appointed its president, and the momentous question that awaited his decision was this :— Was the cultivation of Oriental science and Oriental literature to give place to the cultivation of English science and English literature, or were things to remain as they were before, the Government grant being devoted to the promotion of Oriental learning ? This was the solemn question that awaited decision at his hands. I may say, that no question of deeper importance could engage the attention of a statesman or politician. Zachary Macaulay, the father of Thomas Babington Macaulay, had helped to emancipate the negro slaves, to enfranchise them from physical bondage, to give them that liberty which is the undoubted birth-right of every human being. But the bondage which his son was called upon to remove, was a bondage far more galling and oppressive in its character. It was the bondage of ancient prejudices, hoary with age and consecrated by time ; it was the bondage of immemorial customs, handed down from father to son, through the long vista of rolling years ; it was the bondage of intellectual error, the gloom of deep moral darkness, which had to be removed. How was this to be effected ? How was the great result to be brought about ? Was it to be effected by the incantations of the Vedas, by the mutterings of Puranas, by the recitation of passages from the Koran ? Or was it not rather to be effected by the healing balsam of Western literature and Western thought, by the life-giving influences of English learning and English education. I say that was the grand, the solemn issue, in regard to which Macaulay was called upon to pronounce a decision ; and we know /11/ how he decided this question. He gave his verdict in favour of the Anglicists. A decision so far-reaching in its consequences, so powerfully affecting the destinies of after-generations of India, never issued from the Council Chamber of Calcutta. This decision was dated the 2nd of February, 1835. It would be a work of hours to go through this lengthy document. But I



propose to present to you, in a brief compass, the leading arguments contained in this remarkable minute. We are not, says Macaulay, fettered by the Charter Act of 1813. The clause in the Charter Act says that literature is to be revived, that educated natives are to be encouraged, that a knowledge of the arts and sciences is to be diffused amongst the people of India. But it does not specify whether the medium of instruction is to be English or any Oriental language. We are likewise, says Macaulay, unfettered by any solemn or express obligation. We are, therefore, free to spend the Government grant, in any way we think best, and surely we owe it to ourselves to spend the grant, in educating the people in those things which are most worth knowing. English is a great deal more worth knowing than either Sanskrit or Arabic. It is, therefore, the obvious duty of Government to promote a Knowledge of English literature and English science in preference to the science and literature of the East. The semi-barbarous Russians, says Macaulay, have in the course of 150 years, under the fostering influences of Western science and Western literature, emerged from almost primeval barbarism. Why should we not expect a similar result in the case of the highly enlightened and intelligent Hindus? It was for these reasons, and I have stated his arguments in the briefest compass possible, that he decided the case in favor the Anglicists.

Gentlemen, I am afraid Macaulay is not a special favourite with us. We cannot easily forget his unjust strictures upon our national character; we cannot forget the storm of abuse /12/ he has so mercilessly poured upon us. It has been remarked by a great writer (Mr. Lecky, in his *Leaders of Irish Opinion*) that a nation's character is its most sacred possession, and he who unjustly villifies and blackens a people's character, can have no claims to their gratitude or respect. I can easily sympathise with this feeling, as regards Macaulay. But, I say, let the faults of the Essayist be forgiven in the remembrance of the splendid services, he has rendered to the unborn generations of India. We cannot forget that Macaulay was the author of the Indian Penal Code; that he was the author of the great Education

Minute, and that he helped in the framing of 87th Section of the Charter Act of 1833, a section which should be engraven on the hearts of the rulers of India. That section declares,—No native of the said territories or any natural-born subject of His Majesty resident there in, shall by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office or employment under the said Company.' I repeat, then, we should forget the faults and prejudices of the Essayist, in the recollection of the memorable services, he has rendered to the country, in the cause of Native progress and education.

Macaulay's minute is dated the 2nd of February 1835, and Lord William Bentinck gave effect to it, by his Resolution dated the 7th of March 1835. The triumph of the Anglicists was complete, and English education was now placed upon a safe and secure basis. And under the fostering care of several Governors-General, whose names are dear to Indian History, the cause of English education underwent a rapid and marvellous development. Under Sir Edward Ryan, was introduced the system of State scholarships, which has helped many a poor scholar to complete his education and render himself useful to his family and his countrymen. Then, during the administration of Lord Hardinge, Mr. Hay Cameron, /13/ President of the General Committee of Public Instruction, and one of the best friends India ever had, forwarded a despatch to the Court of Directors, recommending the establishment of a University in Bengal. The Court of Directors thought that the scheme was premature, and it was, in consequence, allowed to fall through. Lord Dalhousie, who paid very great attention to the question of Native welfare and Native advancement, placed the educational department under the control of a Director of Public Instruction. By a despatch of the Court of Directors, dated 1854, Universities were established in the Presidency Towns of Calcutta, Madras and Bombay, and the grant-in-aid system was also, at the same time, introduced. The establishment of Universities gave fresh impetus to the cause of high education, throughout India.

Matters were progressing satisfactorily, in this manner,

when Lord Mayo became Governor-General. I do not wish to speak harshly of him. His life and administration have, indeed, become matters of history. But his sad and unhappy end, while it is still fresh in our minds, must inspire us with a feeling of tenderness in dealing with the most prominent features of his administration. But I am bound to say his educational policy was retrograde. It was under his administration, that Sir George Campbell commenced what, one might fitly describe, as a regular raid against the colleges of Bengal. Sir George abolished the Berhampur College and the Krishnaghur College. The fate of the Hugli College trembled in the balance. And, in short, he wanted to constitute the Presidency College into a kind of Metropolitan Institution for the whole of Bengal, abolishing all the other institutions for high education in Bengal. He was cut short in his precipitate career, by the representations of the Government of India, undertaken at the instance of the British Indian Association, backed by the /14/ entire population of Bengal. The cause of high education is now sufficiently safe and secure, and we may congratulate ourselves upon that circumstance. Indeed, gentlemen, I may say, that I know of no circumstance which is more calculated to inspire in the minds of the people of India a feeling of genuine devotion for the English people and the English Government, than the unspeakable blessings of high education, introduced into this country, under the auspices of English rule. If, at this moment, the connection which now subsists between India and England were to cease (may God avert that day of our calamity !) I ask, what is it that would awaken grateful reminiscences in our minds regarding that connection ? It would be the conviction deep, solemn and heart-felt, that under the auspices of England, for the first time, there were planted in this country the seeds of a progressive civilization, heralded by the genius of English literature.

But, gentlemen, while we are congratulating ourselves upon the advance of English education in Bengal, let us, for one moment, transfer ourselves from the banks of the Ganges to the banks of the Jumna, and fix our eyes upon the decaying ruins of

the great and ancient city of Delhi. Delhi too, at one time, had a college which was established as early as 1825. The College does not now exist. It was ; but it has ceased to be. I ask, then, are the people of Delhi, the inhabitants of that great metropolis, unworthy of the benefits of high education ? Is it, therefore that the sentence of fate has been pronounced against their College. The Government, no doubt, has its own reasons, in vindication of its conduct. The necessities of economy and retrenchment, it is said, have brought about the abolition of the Delhi College. I respect the principle of economy. Economy is a great thing and a good thing. It is a good thing for men ; it is a better thing for associations and and corporations, and I should say, by /15/ far, the very best thing for governments, especially for a government, situated as the Government of India is. Therefore, if it were from considerations of economy that the Government had been led to abolish the Delhi College, we should not have had probably much reason to complain of. But, gentlemen, is it after all correct to say that considerations of economy, that stress of financial pressure, have brought about the abolition of this cherished seat of learning. I wish to speak, with the greatest possible respect, of the Government of India. But I am bound to judge of the Government by its acts. Is it a fact that the maintenance of the Delhi College constituted a source of financial burden to the Government, and was the College absorbing any considerable portion of the public revenues ?

Let us examine facts. The Delhi College had an endowment of over a lac of Rupees, left by the Nawab Itimut-Dow-lah, and over and above that endowment, the College received from the Government a sum of Rs. 12,000 a year. The Government could not spend 12,000 Rupees, a year, for the maintenance of an ancient and time-honored seat of learning, of an institution which was doing most useful work, and from whose walls had emerged some of the best and truest and most trusted of men, in the North-Western Provinces ! A Government enjoying a revenue of fifty crores of Rupees could surely afford to pay a sum of 12,000 Rupees a year, towards the maintenance of one

of the noblest edifices of learning in the country, and which reflected so much honor upon the Government, which lent its aid for its support. Talk of the expenditure of Rs. 12,000 for the maintenance of the Delhi College! Why, the Delhi Assemblage cost sixty lacs of Rupees, the Simla exodus costs, year after year, four lacs of Rupees, and ever since 1874, your military expenditure has increased, by one crore of rupees a year. I have no wish to find fault with Government for spending these /16/ vast sums of money. All this expenditure might be necessary. But I do mean to say that the Delhi College is equally necessary. If it were necessary to introduce measures of retrenchment, they could easily have been introduced with respect to various departments under the Government, without sweeping away, from the face of the country, one of the noblest edifices of English philanthropy and benevolence.

But, gentlemen, I am glad to be able to say that the people of Delhi will not allow themselves to fall asleep over the abolition of their famous seat of learning. A fund is being raised, and 25,000 Rupees, I understand, have already been subscribed, in aid of this object. And I do hope that in the course of the next few years, Delhi will have a college of its own, this time depending no longer on the generosity of the Government, but the product and out-come of native effort, public spirit and philanthropy, bearing witness to the deep value we attach to the spread of English education in this country, and the sacrifices we are prepared to make, in furtherance of this object.

Gentlemen, in dwelling upon the question of native education, I feel tempted to refer to another question, with which it is intimately connected, and which may be said to form a kind of corollary to it. The question of native education is inseparably bound up with the question of native advancement. The advancement of the people of this country to the higher offices of trust and responsibility must march hand in hand, with their increasing knowledge and enlightenment. I do not, however, for one moment, mean to assert that he who receives his education at a government college, *ipso facto*, has a claim to an appointment under Government. No such mons-



trous proposition has ever been started, by any public man, whose utterances are entitled to any weight or consideration. But this I do mean to assert, and assert most emphatically, that inasmuch as education has made such /17/ great progress among the people inasmuch as their minds have been enlightened, their character elevated, their morals refined, it is but fair that they should have an adequate share in the government of their own country. Before 1833, it could perhaps, with justice, have been urged against us, that by our education, our character and our training, we were not fitted to perform the difficult and responsible duties of a highly civilized administration. No such charge can now lie against us. Education has since then made great progress amongst us, and I may say, without fear of challenge or contradiction, that, at the present moment, our intelligence is such, our ability and integrity are such—thanks to the fostering care of the benign Government that presides over our destinies—that we may justly claim, at the hands of our rulers, an equitable share in the administration of our own country. I would not, however, rest our claims to this important privilege, solely upon the considerations to which I have just referred. I would rather place them upon the solemn and deliberate pledges, which have been so often and so graciously given to the people of this country, by the English Crown and the English Legislature. I do not, gentlemen, propose, in this place, to refer to these pledges. But I am more concerned to point out, that those who have ever thought on the subject, have all recognised the intimate connection and relationship that there is, between the question of Indian education and Indian advancement. Let me, in the first place, quote a resolution of Lord Hardinge, dated the 10th of October 1844. His Lordship says, in this resolution, "In every possible case, a preference should be given in the selection of candidates for public employment, to those who have been educated in the Institutions of Government or other institutions, and have distinguished themselves." It is clear that the illustrious framer of this resolution regarded the question of the education of the people, as being /18/ an integral portion of the much wider

question of admitting them to a share, in the government of their own country. Let me now submit, for your consideration, an extract from the speech of Lord Lansdowne, delivered on the occasion of the renewal of the Company's Charter in 1833. Lord Lansdowne observed,—“Their Lordships would be remiss in the performance of the high duties which devolved upon them, if they did not secure to the numerous natives of Hindustan, the ample development of all their mental endowments and moral qualifications. It was a part of the new system which he had to propose to their lordships, that to every office in India, every native of whatsoever caste, sect or religion should be equally admissible, and he hoped that Government would seriously endeavour to give the fullest effect to this arrangement, which would be as beneficial to the people themselves, as it would be advantageous to the economical reforms now in progress in different parts of India.”

Gentlemen, I may here observe, that no government which sought for permanence should be without the safeguard of a nation's affection, bought and secured, by a timely concession of those just rights and privileges, which, written by the hand of Heaven, can never be withdrawn by any human authority, however high or respected it might be. The most illustrious of rulers have always recognised and acted upon this principle. The great Macedonian conqueror sought to establish the proud fabric of his colossal empire, upon the sure foundation of the gratitude of those, whose armies he had vanquished and whose territories he had despoiled. When the Persian empire lay prostrate at his feet, when Darius was a refugee from home and country, Alexander, instead of giving way to feelings which were natural to the occasion, sought to conciliate the affections and gain the good will of his new subjects. He himself adopted the Persian dress, married a Persian wife, and encouraged his officers and /19/ men to marry amongst the women of Persia. In the same way, the Romans valued the good will and confidence of their subject races, and spared no pains to secure them. I repeat, it has always been the settled policy of the most successful of conquerors, to create for them-



selves an impregnable wall of defence against intestine revolts and foreign aggression, by evoking, on their behalf, the enthusiastic gratitude and affection of those, over whom they have been called upon to rule. I rejoice to think that the English rulers of India are gradually rising to a solemn sense of their duties in this respect. May this sense deepen ; may it powerfully influence the policy of the Government of India, so that England may accomplish her great mission in the East, and India once again raise her head amongst the nations of the earth, regenerated, disenthralled, emancipated from the chains of ignorance, error and superstition.

We have met here this evening to observe the anniversary of the death of David Hare. How shall we show our appreciation of his immortal services, in the cause of English education in this country ? Aye, assuredly by supplementing the great work which he began, by working for the same cause, for the accomplishment of which he lived and died. He worked for the elevation of India ; he worked for the regeneration of this country ; he worked to promote Indian progress. This is neither the time nor the place to dilate upon those considerations which so largely enter into a discussion of the question of native progress. But there is one point, upon which I am anxious to lay special stress. We suffer from an innate trait of disposition which seriously interferes with our progress. We are incapable of sustained, continued, prolonged effort, which is so necessary to individual success, as it is all essential for national greatness. We do things by fits and starts, and in a hap-hazard style. I repeat, we are devoid of the power of steady and unfalter-20/ing application which has contributed not a little to the success and the greatness of European nations. Unless we are capable of arduous and continuous work, of sustained and unflagging perseverance, there is, I am afraid, but little hope of our being able to do much, to regenerate our country. No doubt, gentlemen, this matter must have been emphasized upon, times without number, by previous speakers and writers. But now that we are gathered together to pay the tribute of our homage and

respect to the memory of David Hare, let us swear by his sacred remains and by the recollection of his immortal services, that we shall work as ceaselessly, as continuously, as energetically, as did the Father of English education in Bengal, for the welfare of those, whom he loved so dearly.

The observance of this anniversary proves conclusively, that gratitude forms a fundamental trait in our national character. We are indeed essentially a grateful people. By association, by instinct, by habit, we are a grateful people. I know there are those who would blacken our character, who would calumniate us and deprive us of one of the noblest elements of human character. There is, for instance, Mr. Ward, who has been writing a book on the Hindus. In that book, he says, that in Sanskrit, we have no such word as gratitude. Our distinguished Chairman will, no doubt, be able to enlighten us on this point. But says Mr. Ward, there is no word for gratitude in the Sanskrit language, and therefore, by an irresistible process of reasoning, he comes to the conclusion that the people of India are all ungrateful. Aye forsooth, we are all ungrateful, we who, for the last quarter of a century and more, have been meeting together, year after year, to revive in the depths of our minds, the recollection of the immortal services of our great benefactor, David Hare ! Aye forsooth, we are an ungrateful people, with whom the names of our benefactors, of our Duffs, our Ryans, our Bethunes and /21/ our Phears, have become household words. Yes, we are ungrateful, and ungrateful to those, who are not deserving of gratitude. We are ungrateful to our Kirkwoods, our D'oylys and our Moselys. We are incapable of prostituting this noble feeling for the sake of those, who have no claims upon our affection, and are unworthy of our gratitude. I repeat, we are essentially a grateful people, but we live in unhappy times. Where are our Duffs, our Ryans, our Mouats, our Hares and our Bethunes ? Have these illustrious benefactors of our race left us for ever ? Have their mantles fallen upon none of their countrymen ? Has the spirit which animated their bosoms been, for ever, extinguished ? And are we to carry on the struggle for national regeneration,



alone, unaided and unsympathised with. If so it must be, let it be so. If such is the will of Providence, let us bow to his supreme law. Let us then, my countrymen, learn to rely upon ourselves. The great God of truth and light helps those who help themselves. Depending upon our own energies, upon our own strength, the victory assuredly will be ours. Let us infuse this spirit of self-reliance, this spirit of self-help into our countrymen, and a great day may yet dawn upon this hapless country. There will then spring up from this abode of darkness, ignorance and error,—from this battle-ground of hostile races and creeds, a civilization which will be the wonder and admiration of mankind. The future civilization of India will blend all that is great, noble, manly and worthy of imitation in the civilization of the West, with all that is spiritual, gentle, tender, sweet, and benignant in the civilization of the East. This is the goal we hanker after—to build a noble structure from the decayed elements of a bygone civilization; and when this colossal fabric is raised, the foremost names that will be associated with it, will be those of David Hare and Thomas Babington Macaulay. /22/



ON THE PROGRESS OF EDUCATION IN BENGAL

BY KISSORY CHAND MITTRA

EDUCATION, as now understood by us, constitutes not only an important branch, but the substratum of that science which we are assembled this evening to promote. For the great and legitimate object of Social Science is to lead our fellow-beings in the way of their highest moral and mental and religious and political development. It aims at the advancement not only of the upper ten thousand, but of the great mass of mankind, by diffusing intelligence, by disseminating knowledge, by waging a ceaseless crusade against ignorance and impudence, superstition and prejudice, and all other enemies to the physical and the moral well-being of man. Education is the most puissant agent which can be employed by Social Science for the accomplishment of its object. That science is in itself the "*Arziehung der Menschem*,"—education in the highest sense of the human race.

That the necessity and importance of popular education have always been in some measure appreciated by the Hindus is evidenced by the number of *patshallas* or elementary schools scattered through the length and breadth of the country. But the instruction imparted in these institutions commences and concludes very early, and is therefore barren of results. The boys begin their alphabet at six years of age, and finish their education at thirteen, before their mind can be formed to appreciate its benefits. The ceremony of *hate khari* is the preliminary stage in the process of learning, and is performed under the guidance of the *purohit* or family priest on an auspicious day, generally on the *Sripanchami*, or

*Read on the 24th July 1867.

the day of the worship of Saraswati, the goddess of learning. The children begin with tracing the vowels and consonants with the finger on a sand-board, and afterwards on the floor with a pencil of white crayon; and the operation is continued for a week. They are next instructed to write on the leaf of the palm with a reed pen, joining vowels to the consonants, forming compound letters, and learning the *nāmā* or tables of numeration. The next stage is writing on the plantain leaf, after which letter-writing and arithmetic are taught. The course of instruction culminates in letter-writing on paper, and is limited to that and to accounts. Under the old system, which I am describing, there were no text books, and no instruction /51/ regarding moral or social duties. The *guru mahāshayas* exercised no beneficial influence on the character of their scholars, but performed "a menial service in the spirit of a menial." They were generally paid a pittance, and were obliged to eke out their incomes by periodical presents of eatables. The *patshallas*, where they taught, were held not in suitable houses, but in the *chandimandap* of the well-to-do villager, or under the shade of the banian tree. The number of such *patshallas*, 50 years ago, was not less than 100,000, and assuming the population of this presidency at 40,000,000, there would be a village school for every 400 persons. The *patshalla*-frequenting population was below the wealthy and above the indigent class, and numbered about 5 per cent. of the whole. The number of villages was about that time officially estimated at 150,748, two-thirds of which must have boasted of a school. In the *toles* or indigenous seats of classical learning, the medium of instruction was Sanskrit, and grammar, rhetoric, logic, law, and astronomy are some of the branches of the learning taught. Some of these institutions were endowed; but the great bulk of them subsisted on the gifts which the presiding pundits received from wealthy men on occasions of marriage and *shrāddh* and *poojāhs* and festivals. The disinterestedness of those pundits in affording gratuitous instruction, food, and even clothing to their pupils, and the privations to which the latter subjected themselves in the prosecution of learning, were alike

honorable to both, and evinced a love of knowledge and an earnestness of desire for its diffusion.

At the commencement of the present century, Dr. Francis Buchanan Hamilton conducted, by desire of Government, certain statistical enquiries in Bengal, which were calculated to throw some light on the educational question. He states that, in 1801, there were within the limits of the Twenty-four Pergunnahs 190 seminaries, in which Hindu law, grammar, and metaphysics were taught, at an annual cost of Rs. 19,500. No English school of any importance had been established at that time. In Midnapore there were indigenous schools or *patshallas* in every village. The population of that district was estimated by Hamilton at 1,500,000. There were no English schools there in the beginning of this century. In Jessore and Nuddea the records I have consulted contain no reference to indigenous elementary schools in the beginning of the century. There is, however, no doubt that Nuddea was *then*, as *now*, the seat of Sanskrit learning, and the Benares of Bengal. In Dacca there were, according to Hamilton, many Hindu schools, in which the rudiments of the Bengali language were taught. The district of Backergunge was formed /52/ in 1800 from the southern portion of Dacca Jelalpore. Its population was officially estimated in 1801 in round numbers at 9,26,723 inhabitants, in the proportion of 5 Hindus to 3 Mahomedans, many of whom were obliged to reside in their boats, owing to a large portion of the district being submerged during the rains. Under these circumstances, no *patshallas* could exist. In Tipperah, Hamilton states that there were no regular schools. In Mymensing, the same authority mentions that there were two free schools in each pergunnah, the district being divided into 19 pergunnahs, and containing a population of 1,300,000. In Sylhet, Hamilton reports that there were no regular schools and seminaries for teaching Hindu or Mahomedan law, but that in different places there were *private* schools, where boys were taught to read and write. In Rungpore and Dinagepore, he reports the state of indigenous elementary education as very low, though in the neighbouring district of Purneah he found 643 elementary

schools amongst the Hindu population, and 119 *toles* or schools of learning.

In Beerbhoom, the population was estimated at 1,700,000 souls in the proportion of 13 Hindus to 1 Mahomedan. Hamilton makes no mention of schools. Even so late as 1823, the local agent of the Government, in reply to enquiries made by the General Committee of Education, stated that there were no seminaries for the instruction of youth in the district, either public or private. But the analogy of the neighbouring districts and the preponderance of the Hindu element in the population throw considerable doubt on this statement. In Rajshahye, the population was estimated by Hamilton in round numbers at 1,500,000, in the proportion of 2 Hindus to 1 Mahomedan. The existence of indigenous schools of learning is noticed, but there is no mention made of elementary schools. This is incredible, inasmuch as the former presuppose the latter. The district and the city of Moorshedabad contained a population of 1,020,572 in the proportion of 2 Hindus to 1 Mahomedan. Hamilton is silent on the subject of elementary schools, but their existence must be inferred from the circumstance of the flourishing condition of the *toles* or indigenous seats of learning, some of which were richly endowed by the illustrious Rāni Bhobānī of Nattore. Burdwan, in proportion to its extent, was considered in 1801 the most productive and populous district of the country. Surrounded by the dense and interminable jungles of Midnapore, Pachete, and Beerbhoom, it appeared as an *oasis* in the desert. It is, therefore, no wonder that Hamilton states there were few villages in this district in /53/ which there was not a school. Several indigenous schools are also noticed. The district of Hooghly was created at the end of the last century, being composed of sections from Burdwan, Midnapore, and Bancoorah. Hamilton states that, in 1801, besides numerous elementary schools, there were altogether 150 indigenous schools of learning, in which the principles of Hindu law were taught by pundits, each school containing from 5 to 20 scholars.

It was in Hooghly, the district last mentioned, that the

seeds of English education were first sown. They germinated freely, and this metropolitan zillah proved the adaptability of the soil of this country to the growth of what has now become a stately tree shooting out magnificent foliage and bearing golden fruits. Mr. Robert May, a dissenting missionary residing in Chinsurah, opened in his dwelling-house, in July 1814, a school on the Lancasterian plan. On the first day 16 boys attended, but in the second month the number of pupils increased so as to require larger accommodation. A spacious apartment was allotted to him in the Old Dutch Fort by Mr. Forbes, the Commissioner of the district. In January 1815, Mr. May opened a branch or village school at a short distance from the town, and in the course of twelve months, he had established in the surrounding country schools to which 951 boys resorted. These schools were conducted on the system which Dr. Bell had inaugurated in the Military Orphan Asylum of Madras in 1791. While employed as Superintendent of the asylum, Dr. Bell observed one day a boy belonging to a Malabar school writing on sand according to the primitive Hindu method. Believing this method very convenient both as regards cheapness and facility, he introduced it into the school of the asylum; but as the usher refused to carry it into effect, he employed one of the most promising senior boys of the school to teach the juniors in this way. The system proved remarkably successful and Dr. Bell extended it to the other and more advanced branches of instruction. In a short time he re-organized the school under boy-tutors, who were instructed themselves by him. Mr. May's success was, in a great measure, attributed to the adoption of this monitorial method. It was soon brought to the notice of Government by Mr. Commissioner Forbes, and a monthly grant of Rs. 600 was awarded to enable Mr. May to prosecute his undertaking. The general system of education thus instituted in Chinsurah found warm supporters in the higher classes of the Natives. Raja Tejchunder Bahadur, of Burdwan, converted his *patshalla* into an English school, and another Zemindar followed his example. The strength of prejudice against English schools rapidly diminished. At

first a Brahmin scholar would not sit on the same form with a Koyburt or a Sudgope, but the objection was afterwards relinquished. The Government, recognizing the increased usefulness and full success of Mr. May's experimental instruction, enlarged its monthly donation to Rs. 850.

In the infancy of the British Government in this country, the efforts of our rulers were necessarily confined to the preservation of peace and the administration of justice. The adoption of an enlarged and liberal policy was perhaps incompatible with the exigencies of a new and growing military despotism. But the necessity and wisdom of that policy were gradually forced upon the Government. Its action was at first confined to the revival of Oriental learning. In 1780, Warren Hastings, the first Governor General founded the Madrassa on the European model. The object of its institution was to impart an Arabic education to the Mahomedan youth. Warren Hastings provided for it a building at his own expense, and assigned a jaghir, yielding an annual revenue of Rs. 29,000, for its maintenance. Lord Moira, in his Minute on the Judicial Administration of the Presidency of Fort William, dated the 2nd October 1815, after mentioning certain evils in the administration of the Government and in the character of the people, goes on to say :—"In looking for a remedy to these evils, the moral and intellectual improvement of the Natives will necessarily form a prominent feature of any plan which may arise from the above suggestions, and I have therefore not failed to turn my most solicitous attention to the important object of public education." His Lordship projected the establishment of two Sanskrit Colleges at Benares and Tirhoot. The project proceeded from a desire to give encouragement to the cultivation of Oriental Literature and Science, but it was not carried out. Various difficulties arose, and it failed of effect. A different plan was afterwards adopted. A new conviction dawned on the minds of the Governor General and his Councilors, that provincial colleges, like those contemplated, would not answer the purpose so well as a college at the presidency. Its establishment at the seat of Government would secure an efficiency of

supervision which could not be obtained in the mofussil. But it was some time before this intention was carried out, in the establishment of the Sanskrit College in Calcutta with an annual revenue of Rs. 30,000.

About this time the desire for learning English began to be felt in Calcutta. Mr. Sherburn established a school, where Dwarkanath Tagore received his rudimentary education. Mr. Cumming set up his academy, where the late Rajah Sir Radhakant graduated. /55/ It was now evident that the Hindus of Calcutta had commenced to shake off their *quasi*-religious prejudices against English education, and to manifest an eagerness to reap its benefits, when communicated in accordance with those principles of discretion and toleration which the Government promulgated. Availing himself of this altered state of feeling, David Hare—a retired watchmaker—urged on the leading members of the Native community to consider the necessity and importance of establishing a great seat of learning in the metropolis. They listened to this proposal with unfeigned interest, and promised it their hearty support. They willingly accepted an invitation from Sir Edward Hyde East, then Chief Justice of the Supreme Court, to meet at his residence for the purpose of adopting measures for carrying it into effect. This meeting was held, in May 1816, in the same house in Old Post Office Street, which was afterwards occupied by Chief Justice Colvile, and lately demolished to make room for the new High Court. Though he did not attend this preliminary meeting, there was one who nevertheless shared with David Hare the credit of originating the idea of the institution of the Hindu College, almost from its inception, and whose name will be therefore inseparably associated with its foundation. As a moral and religious reformer, Rammohun Roy had, from a very early period, felt the imperative necessity of imparting a superior English education to his countrymen, as the best and most efficacious means of achieving his end. He had established an English school at his own expense. He had heartily entered into the plans of David Hare, and zealously aided in their development. But as an uncompromising enemy of Hindu

idolatry, he had incurred the hostility of his orthodox countrymen, and he apprehended that his presence at the meeting might embarrass its deliberations, and probably defeat its object. And he was not mistaken. Some of the Native gentlemen, the representatives of Hinduism, actually told Sir Hyde East, that they would gladly accord their support to the proposed college if Rammohun Roy were not connected with it. Rammohun Roy willingly allowed himself to be set aside, rather than that by his active co-operation the project should fail of its accomplishment. The arrangements for the establishment of the *Mahābidyālaya* or great seat of learning, as the Hindu College was originally, called, having been completed, it was inaugurated in 1816. The house on the Upper Chitpore Road, known as Gorachand Bysack's house, and now occupied by the Oriental Seminary, was its first local habitation. It was afterwards removed to *Firinghee* Komul Bose's house, at Jorasanko. The object of the institution, as described in the printed rules published in 1822, was to "instruct /56/ the sons of the Hindus in the European and Asiatic languages and sciences." Though it was proposed to teach English, Persian, Sanskrit, and Bengali, yet the first place in importance was assigned to English. In truth the college was founded for the purpose of supplying the growing demand for English education. Sanskrit was discontinued at an early period. The Persian class was abolished in 1841. The only languages which have since been taught are English and Bengali.

Ample provision was made in the infancy of the institution for efficient supervision. At first a provisional committee, consisting of ten Europeans and twenty Native gentlemen, was formed to organize a plan of operations. Subsequently the Europeans withdrew, and a body of directors was appointed, consisting entirely of Natives, with two governors and two secretaries. The Rajah Tejchunder Bahadur, and Babu Chandra Coomar Tagore, were elected the first governors in consideration of their having contributed most liberally for the support of the institution. Among the Native directors may be mentioned Babus Gopi Mohun Deb, Joykissen Singh, and Ganganarain Das.

Babu Buddinath Mookerjee was appointed the first Native secretary. The European secretary was Major Irving. He was appointed for the special purpose of superintending the English department of the college.

The Committee of Management consisted, for some years, of four members elected annually by the directors. Their duties were to see that the rules of the institution were observed, to alter and make new rules, to consult the requirements of the institution, to appoint and dismiss the teachers, and to check and regulate the expenditure. When the opinion of the members were equally balanced, the question was referred to one of the governors, whose decision was final.

At the commencement, the sum of Rs. 1,13,179 was contributed for the support of the institution. For several years after its establishment, the college was strictly a private institution and received no aid whatever from Government. But in 1823, the funds being at a low ebb, the managers applied to Government for pecuniary aid and also for a suitable building. They ventured to suggest that the college should be removed to the vicinity of the Sanskrit College about to be founded, and that the more expensive paraphernalia of instruction, such as philosophical apparatus, lectures, &c., should be common to both institutions, by which means they would be mutually benefited. In the following year, the managers made a similar representation to the General Committee of Public Instruction. They adverted to the inadequacy /57/ of the income to the wider objects of the institution, and requested to be allowed to occupy part of the building designed for the Sanskrit College. They begged that such further pecuniary aid might be afforded as would enable them to employ a person to give instruction to the senior students. They also desired that the general committee would be pleased to permit their own secretary, and the secretary of the contemplated Sanskrit College, to join them in the management of the affairs of the college.

These representations were attended with the desired effect. Government resolved to aid the Hindu College, by endowing, at the public charge, a professorship of experimental philosophy.

and by supplying the cost of school accommodation in the vicinity of the Sanskrit College. The general committee were desired to report on the expediency of assuming "a certain degree of authoritative control over the concerns of that institution in return for the pecuniary aid now proposed to be afforded."

In conformity with this resolution, the general committee opened a communication with the managers in regard to the question of obtaining a share in the control of the college. The subjoined is an extract from the general committee's letter :—

"With reference to the extent of the aid already given to the funds of the Hindu College and other arrangements in contemplation for its improvement, such as the grant of a library, endowment of scholarships, and a liberal provision for the most effective superintendence that can be obtained, the expense of which will probably be fully three times the amount now derived from the funds of the college, Government conceive that a proportional share of authority over that establishment should be vested in the General Committee of Public Instruction."

The managers, in reply to this letter, and with reference to the share of the management they were willing to surrender, desired to be informed what arrangements the general committee themselves would consider most advisable. They then added the following observations :—

"With deference to what may be the decision of the general committee, we beg to suggest that probably the best mode of apportioning the management would be the appointment of a joint committee, to consist of an equal number of present Native managers and of the members of the general committee, to which arrangement we shall be very happy to agree.

"It is scarcely to be apprehended that any questions would arise in which the opinions of the Native and European managers /58/ would be exactly balanced ; but should such an event occur, we hope it will not be considered unreasonable in us to propose that a negative voice may be allowed to the Native managers ; that is to say, that any measure to which the Natives express a unanimous objection shall not be carried into effect."

The following reply, which closed the correspondence, was returned by the general committee :—

"The general committee, in professing to exercise any authority over the Hindu College, have only had in view the due administration of those funds which the Government may from time to time be disposed to supply in aid of the institution, and the erection of the Hindu College into a seminary of the highest possible description for the cultivation of the English language. Beyond these objects, it is not their intention to interfere, and as long as they are satisfied that the best interests of the establishment are fully attended to by the Native management, they will not fail to take a warm interest in the prosperity of the college, and to recommend it to Government as meriting the countenance of its patronage. At present they have no reason to doubt the efficiency or the intention of the Native committee, and they do not therefore think it advisable to assume any share in the direction of the details of the college.

"At the same time, confiding in the disposition evinced by the Native management to accept their assistance and advice, the general committee will be ready to exercise a regular inspection and supervising control as visitors of the college.

"In order to render the general supervision as practicable as possible, they propose to exercise it through the medium of such of their members as they may from time to time appoint ; and on the present occasion, they avail themselves of the services of their secretary Mr. Wilson, whom they request the managers to regard as the organ and representative of the general committee.

"It is expected that any recommendation proceeding from the general committee relative to the conduct of the institution, as expressed through the acting visitor, will meet with the concurrence of the managers of the college, unless sufficient reason be submitted in writing for declining such concurrence."

The managers expressed their readiness to conform to these arrangements of the college. Subsequently Dr. Wilson was elected Vice-President of the Committee of Management.

Dr. Wilson entered on his duties as the visitor of the college in a proper spirit. He brought to their performance a tact, a /59/ judgment and zeal, which soon worked a marked improvement in the institution. In his first annual report, he represented the low state of the funds, threatening to "cripple" the college, and urged on the Government to devise some means by which the calamity might be averted. He also lamented the want of sufficient control and the "neglect into which for the last two years the institution had fallen." He, however, expressed his earnest hope that, now that the attention of the Government was drawn to the proceedings of the managers of the college, they would be anxious to promote any measures that may have the advantage of the college in view. There was, therefore, every prospect in his opinion that the college, controlled by the general committee and patronized by the Government, would become the "main channel by which knowledge might be transferred from its European source into the intellect of Hindustan." That this prospect has since been realized, you will all cheerfully admit.

Dr. Wilson's report raised the question of the establishment of a distinct college open to Natives of every denomination. Mr. Holt Mackenzie advocated an independent institution. Mr. Harrington, the President of the General Committee, considered it was highly desirable to give every possible encouragement to the Hindu College, so as to render it as efficient as possible. Dr. Wilson opposed the establishment of a separate institution, and thought it would be more advisable to improve the existing Hindu College, by raising the character of the institution, providing a superior class of teachers, and bringing it within the supervision of the general committee.

The majority of the Committee being in favor of a separate institution, a report recommending its establishment was forwarded to Government. But their views, though acquiesced in by the Government, were not carried into effect.

It must now be observed that the subscribed capital was about this time still further reduced to little more than Rs. 20,000 by the failure of J. Baretto, in whose firm it was deposited. After

a delay of two years, the managers received Rs. 21,000 out of the wreck of the estate. In 1824, the monthly income of the college amounted to Rs. 840, made up of the following items :—

Interest of the college fund	... Rs. 300
Tuition fees	... „ 350
School Society's scholars	... „ 150
Godown rent	... „ 40 /60/

The managers accordingly went up to Government for assistance which they obtained, in the first instance, to the extent of 300 Rupees a month. In 1827 the Government aid was raised to 900 Rupees ; and again in 1830 to 1,250 Rupees per mensem. Besides these regular monthly contributions, Government, in 1829, made a large grant for the publication of English class books, and gave a further sum of 5,000 Rupees to purchase books for the library. The library was always largely and eagerly resorted to by the boys. The books borrowed by them show a great love of desultory reading, which, after all, is, according to Dr. Johnson, not so unprofitable as is generally supposed.

In the mean time, the amount realized from tuition fees had also progressively increased. In January 1827 the monthly income of the college amounted to 2,240 Rupees, of which 1,000 Rupees came under the head of tuition fees. In 1830 the total monthly income had risen to 3,272 Rupees, of which about 1,500 Rupees were raised from tuition fees. After that time there was a gradual falling-off in the receipts from this source for several years, but the deficit was made up by Government.

The college began with a small number of pupils. Though the original rules of the institution provided for the payment of schooling fees by students, yet the system of demanding their payment did not at first answer. The committee of management accordingly resolved that from the 1st January 1819 the college should be a free institution. It was not till the end of 1823 that 25 paying scholars had been admitted, paying altogether 125 Rupees monthly. In June 1825 the number of paying scholars had risen to 70, and the monthly

receipts from this source was 850 Rupees. At the end of the year the number of pupils was 110, and at the end of the following year it was 223. The number of paying scholars continued to increase during the next two years. At the end of 1827 the number was about 300, and in December 1828 it had increased to 336. It was remarked that the readiness to pay schooling fees at that time was strikingly contrasted with the reluctance formerly displayed, and which had rendered it necessary to abrogate the provision which originally existed for the admission of paying scholars. At the end of 1826, the monthly receipts from tuition fees amounted to 1,115 Rupees, and two years later to 1,700 Rupees. After this there was a falling-off, occasioned partly by a temporary panic and partly by the commercial distress which existed at that time. At the end of 1833, the tuition fees had fallen off to 800 Rupees a month. Since then there was a gradual increase, until the sum annually raised from tuition fees alone amounted to 30,000 Rupees. /61/

The rate charged continued for many years to be the same for all the classes, both senior and junior. A fixed sum of 5 Rupees a month was levied from all. A few years ago, it was determined to enhance the fees in the higher classes. Since then the rate was raised to 8 Rupees a month in the college department, 6 Rupees in the senior school, and 5 Rupees in the junior school. It is to be observed, however, that a large proportion of the students of the college department were scholarshipholders, who paid nothing.

An account of the Hindu College would be incomplete if I were to omit to notice in connection with it the Calcutta School Society and its schools. Both the institutions acted and reacted on each other most beneficially. The Society was instituted on the 1st September 1818, for the purpose of "assisting and improving existing institutions and preparing select pupils of distinguished talents by superior instruction for becoming teachers and instructors." It established several schools and *patshallas*, of which the best was the institution known as "Mr. Hare's school." This school long served as an intermediate

link between the independent schools fostered by the Calcutta School Society and the Hindu College. The most promising pupils from it were sent to the Hindu College to be educated at the Society's expense. The number always amounted to 30. These pupils invariably distinguished themselves and surpassed their fellow collegians. They carried almost all the honors and shed greater lustre on the college than what was reflected by its "pay" students. This fact is easily accounted for by their comparative poverty, their habits of industry acquired in the preparatory school, and the stimulus held out to them in the shape of prizes and scholarships. They were the picked boys of a well conducted High school. They had already risen above their compeers in that school, and acquired a love for study; whereas the majority of the foundation and "pay" scholars of the college were the sons of wealthy men who had been cradled in the lap of luxury. No wonder, therefore, that these Sybarites were unable to rub shoulders with the sturdy "Boreahs" (as Hare's boys were derisively called), who had been taught to look to collegiate proficiency as the only passport to wealth and distinction.

The Hindu College soon became a mighty instrument for improving and elevating the Hindus. It was, as has been said, inaugurated in a small building on the Upper Chitpore Road, and commenced with a small number of scholars; but it soon grew into importance and usefulness. The college was divided into two /62/ departments—the senior and the junior. These were situated in different apartments, but were under the controlling authority of one head master. Mr. D'Anselme was the first head master, and served long and well in that capacity. He evinced considerable tact and judgment in the management of the boys. In 1827 Mr. Henry Vivian Derozio was appointed assistant master in the senior department. I thus prominently notice his appointment, because it marked, so to speak, a new era in the annals of the college. His career as an instructor was marked by singular success. His appreciation of the duties of a teacher was higher and truer than that of the herd of professors and school-masters. He felt it his duty

as such to teach not only words but things, to touch not only the head but the heart. He sought not to cram the mind, but to inoculate it with large and liberal ideas. Acting on this principle, he opened to throw off the fetters of that antiquated bigotry which still clung to their countrymen. He possessed a profound knowledge of mental and moral philosophy and imparted it to them. Gifted with great penetration, he led them through the pages of Locke and Reid, Stewart and Brown. He brought to bear on his lectures great and original powers of reasoning and observation which would not have disgraced the lamented Sir William Hamilton. But it was not only in the class room that he laboured for the interests of his pupils. He delighted to meet them in his own house, in debating clubs and other places, and to pour out to them the treasures of his cultivated mind. He was not a fluent but an impressive speaker ; what he said was suggestive, and contained bone and sinew. The native managers of the college, cradled in superstition, were alarmed at the progress which Derozio's pupils were making, by actually "cutting their way," as one of the newspapers of the day not inaptly expressed it, "through ham and beef, and wading to liberalism through tumblers of beer." Like many other men in other times, they could not rise above the prejudices of the nursery, or see, in the innovating spirit of the collegians, aught but an element of danger to their country. They were, therefore, naturally scandalized at their heterodoxy, and attempted to put it down by dismissing Mr. Derozio.

The following resolutions passed by them have a peculiar significance, and will show the strength of early prejudice :—

"It having come to the knowledge of the managers that a belief prevails very generally that the students of the Hindu College are liable to lose all religious principles whatever, it was /63/ resolved that Mr. D'Anselme, head master, be requested to check, as far as possible, all disquisitions tending to unsettle the belief of the boys in the great principles of natural religion.

"The teachers are particularly enjoined to abstain from any communication on the subject of the Hindu religion with the boys, or to suffer (*sic*) any practices inconsistent with the

Hindu's notions of propriety, such as eating or drinking in the school or class rooms. Any deviation from this injunction will be reported by Mr. D'Anselme to the *visitors* immediately, and should it appear that the teacher is at all culpable, he will forthwith be dismissed.

"That Mr. Derozio, being the root of all evils and cause of public alarm should be discharged from the college, and all communications between him and the pupils be cut off.

"That such of the students of the higher class whose bad habits and practices are known, and who were in the dining party, should be removed.

"That all those students who are *publicly* hostile to Hinduism and the established customs of the country should be turned out.

"That if any of the boys go to see or attend private lectures or meetings, they be dismissed.

"The managers of the Anglo-Indian College, having heard that several of the students are in the habit of attending societies at which political and religious discussions are held, think it necessary to announce their strong disapprobation of the practice, and to prohibit its continuance.

"Resolved, that the managers have not the power nor the right to enforce the prohibition of the boys attending private lectures or meetings."

But the seed which had been sown had taken root and was not to die. "The Jesuits," says Pascal in one of his unparalleled letters, "have obtained a papal decree condemning Galileo's doctrine about the motion of the earth. It is all in vain. If the world is really turning round, all mankind together will not be able to keep it from turning, or to keep themselves from turning with it." The order of the college committee for the dismissal of Mr. Derozio "was as ineffectual to stay the great moral revolution as the decree of the Vatican to stay the motion of our globe." Onward shall it roll through the country, like the advancing flood of the Ganges, bearing truth and religion in its resistless course. Progress is the law of God, and cannot be arrested by the puny efforts of man. As knowledge /64 / is

acquired, facts accumulate and generalization is practised, scepticism arises and engenders a spirit of enquiry, resulting in the overthrow of errors and in the triumph of truth. The advanced alumni of the Hindu College openly announced that of Hinduism, and, in defiance of the resolutions of the committee, gloried in infringing its dictates. But the influence of their enlightenment was best manifested in the efforts which they now made to spread the benefits of the education they had received.

They established several morning and day schools, and their example was followed by others, who adopted teaching as a profession. The pay schools multiplied as the demand for them increased.

The first English Pay School was established at Bhowanipore, and was called the "Union School," in consequence of its having been formed by the union of two schools at Bhowanipore and Kidderpore. They were established, without any communication with Europeans, by Native gentlemen for the instruction of Hindu children in English, and were at first supported by voluntary subscriptions. In May 1829 they were placed upon an improved footing, and in the management of them, Europeans and Natives were then first associated. They were opened to pay scholars, and the Calcutta School Society made them a monthly grant towards their support; but that source not proving adequate to their wants, they applied to the General Committee of Public Instruction for assistance. Their immediate requirements extended only to about 500 Rupees for the necessary school furniture; but the general committee placed 1,000 Rupees at the disposal of the School Society for the disposal of the School Society for the use of each school, considering it to be "a great object to establish schools of this description, which might in time serve as preparatory steps to a Hindu College, and relieve that institution of part of the duty of elementary tuition." The Union School was the *Alma Mater* of Babu Hurish Chunder Mookerji, the founder and editor of the *Hindoo Patriot*. Another English school was established at Simlah, and numbered about 70 scholars. A third school of this kind was set up in Upper Circular Road, and had 30 or

40 scholars. A fourth pay school was situated in Burra Bazar, and numbered 30 or 40 scholars taught by a Native. One of the best conducted schools of this description was situated at Sobha Bazar, near the house of the late Rajah Sir Radhakant Deb, and numbered about 300 scholars. The proprietors were a Christian and a Hindu, who employed several assistant teachers under them. But the most successful school of this description was decidedly the *Oriental* [65] *Seminary*. It was founded by Babu Gour Mohun Auddy, who was born a teacher. It numbered among its pupils the sons of the opulent Mullicks and other members of the Sonar-bunniah caste, who looked upon the Hindu College as the terror of Hinduism. There were several Brahmins and Kayests who received their education in this institution. Among them may be numbered the late Hon'ble Justice Shumboonauth Pundit. Besides these pay schools, there were Native free schools for the gratuitous instruction of Hindu youths in English, established and chiefly supported by the *Alumni* of the Hindu College. Baboo Gobind Chunder Bysack founded a school on the Upper Chitpore Road, in which Babu Rajendralal Mittra, director of the Wards' Institution, received his education. Babu Peary Chand Mittra established a similar school at his house at Nimtollah Street; Mr. Derozio and Mr. David Hare took a lively interest in this school, frequently visiting and examining the boys and distributing prizes to the most meritorious among them. One of the principal schools of this description was called the Hindu Free School, and was situated at Aurpooley. It had five Hindu teachers, who instructed 150 scholars. Another school of this class was called the "Hindu Benevolent Institution," and was entirely supported by two benevolent Hindu gentlemen. Another school of this description was situated at Chore Bagan, and was also supported by a couple of Hindu gentlemen.

The benefits of the Hindu College and other educational institutions established in Calcutta were confined within a narrow radius. In the mofussil there reigned deep and dense ignorance. The *patshallas* noticed above were but very indifferent instruments for the communication of sound and

useful knowledge. The *guru mahāshayas* who directed them were incapable of moulding the minds, fashioning the habits, and guiding the feelings of their pupils. The Government neglected for a long time to remedy this state of things. The importance of ascertaining what has been or can be done for the promotion of education by private means, was not sufficiently appreciated. The moral and mental enlightenment of the people was considered incompatible with the safety of a foreign domination. It was not till the time of Lord William Bentinck that the Government fully and fairly acknowledged the justice and policy of educating and elevating the subject races. That philanthropic nobleman was deeply impressed with the evils of the ignorance of the people whose destinies were entrusted to his keeping, and he earnestly desired to establish a comprehensive system of national education. In order to compass this object he conceived that the first step must be "to /66/ know with all attainable accuracy the present state of instruction in the Native institutions, and in Native society." He accordingly appointed Mr. William Adam as Government Commissioner to conduct enquiries into the state of Native education. Mr. Adam received his formal appointment in January 1835. He was eminently qualified for the task. Deeming it impracticable to traverse the entire surface of every district, and personally to inspect the state of education in every thannah and village, he restricted his personal enquiries to a thorough examination of the state of education in one of the principal thannahs or country towns of each district, which might be accepted as a fair sample of the whole, taking care, at the same time, to ascertain the state of education generally in the other thannahs and towns. In accordance with this plan, he conducted his enquiries in six districts, and in one city, namely, that of Moorsshedabad. His returns are the most perfect of the kind hitherto obtained in this country, and constitute a mass of valuable information illustrative of the moral and intellectual condition of my countrymen. Nattore, formerly the capital or sudder station of Rajshahye, and now the most important sub-division of that district, was selected by Mr. Adam for the commencement of

his educational survey. Now, as I was for several years in charge of that sub-division, and had ample opportunities of ascertaining the educational condition of the people, I am well able to appreciate the fidelity of the picture of literary destitution presented by him. He says that "the Bengali schools in Nattore are 10 in number, containing 167 scholars, who enter school at an age varying from five to ten years, and leave it at an age varying from ten to sixteen. The teachers consist both of young and middle-aged men, for the most part simple-minded, but poor and ignorant, and, therefore, having recourse to an occupation which is suitable both to their expectations and attainments, and on which they reflect as little honor as they derive emolument from it." While I recognise the general accuracy of these statements, I regret to notice that Mr. Adam has erred in one important detail, namely, the comparative numbers of the Hindu and Mahomedan population. I do not believe with him that the proportion of Mahomedans to Hindus is that of two to one, but am convinced that the latter predominate over the former. Such at least was the case in my time, and such, I believe, has always been the case, Rajshahye being essentially a Hindu and not a Mahomedan district. I, however, agree with him in thinking that the proportion of Mahomedan to Hindu children receiving instruction is less than one to four. In most of the districts of Bengal, I have found /67/ a similar disproportion to prevail, and it may be sufficiently accounted for by the fact that the Mahomedans constitute the bulk of the ryots, coolies, and jelleahs, who are unable, from their condition in life, to secure for themselves or their children any education however rudimentary.

Mr. Adam thus impressively sums up the results of his enquiries at Nattore :—"The conclusions to which I have come on the state of ignorance, both of the male and female, the adult and the juvenile population of this district, require only to be distinctly apprehended in order to impress the mind with their importance. No declamation is required for that purpose. I cannot, however, expect that the reading of the report should convey the impressions which I have received from daily

witnessing the mere animal life to which ignorance consigns its victims, unconscious of any wants or enjoyments beyond those which they participate with the beasts of the field, unconscious of any of the higher purposes for which existence has been bestowed, society has been constituted, and government is exercised. I am not acquainted with any facts which permit me to suppose that, in any other country subject to an enlightened Government, and brought into direct and immediate contact with European civilization, in an equal population, there is an equal amount of ignorance with that which has been shown to exist in this district." And Rajshaye was not a backward or an exceptionally illiterate district. It was and is occupied by an industrious and intelligent population ; It boasts of several influential rajahs and large zemindars, and is the seat of an extensive trade in silk and cereals. In 1835, when Mr. Adam visited the district, there was no well-organized English school. In 1848, when I went up to Rajshaye as Deputy Magistrate, I found the zillah school in a capital condition. I had soon the satisfaction of persuading Babu Loknath Moitra to establish a school at Rampore Beaulah, and Babu, afterwards Rajah, Prosonno Nath Roy to establish another school at Digaputtah, near Nattore. Both these schools have since produced several excellent and successful young men. They are called after the names of their benevolent founders, and have been richly endowed by them.

The Rajshaye of Mr. Adam is only an average specimen of all the districts of Bengal. Similar enquiries in the other localities selected by him led to nearly similar results, exhibiting a vast and nearly illimitable intellectual waste. Assuming the school-going age to be between five and fourteen years, and including under the term all that have obtained /68/ any kind of instruction, Mr. Adam supplied valuable information in the following table :—

	Total number of children between 14 and 15 years of age.	Number of children receiving school instruction.	Number of children receiving domestic education.	Total number of children receiving domestic and school instruction.	Children receiving neither domestic nor school instruction	Proportion of children capable of receiving to children actually receiving is as 100 to
City of Moorshedabad	15,092	959	300	1,259	13,833	8.3
Thannah Daulat Bazar	10,428	305	326	631	9,797	6.05
Thanna Nanglia	8,929	439	285	724	8,205	8.1
Thannah Jahanabad	18,172	2,243	676	2,919	15,257	16.05
Thanna Culna	15,595	366	539	905	14,690	5.8
Thannah Bhawara	13,409	60	288	348	13,061	2.5

It thus appears that the aggregate average of the teachable population of the districts is only $7\frac{3}{4}$ per cent., thus leaving $92\frac{1}{4}$ out of every 100 children destitute of any instruction whatever. You can now realise the enormous amount of educational destitution of Bengal 32 years ago. It is not to be wondered at that, while ignorance was so extensive, organized crime should have prevailed so universally, and Government should have been unable to reckon with confidence on the support of the community. Knowledge is not only power, *but* is a source of safety to the State, while ignorance is a source of weakness and danger to it. Of this truth, the sepoy insurrection affords a striking illustration. The moral intellectual enlightenment of the people of this country cannot be effected without additional security being thereby given against delusions such as those which shook in 1857 the empire to its foundation. It has been so ordained by the Almighty and Beneficent Author of our being that the development of the mental faculties with which he has endowed us cannot be effected without dispersing those prejudices and errors which menace the peace of society as well as of individuals.

It was in 1835—the year of Mr. Adam's educational survey—that a momentous change in the system of education was /69/ introduced. The Orientalists and the Anglicists, into which the Board of Education was divided, had fiercely fought their battle. The former faction had hitherto maintained their own against the latter. The grant of £10,000 made by the Court of Directors for the "revival and promotion of Literature and the encouragement of the learned Natives of India, and for the introduction and promotion of a knowledge of the Sciences," proved an apple of discord, the bone of contention. The proceeds of this grant had been expended in printing and publishing valuable Oriental texts, in the stipends of students and the salaries of Hindu and Mahomedan *savans*, and in translating into Sanskrit and Arabic languages scientific and historical English works.

This procedure was based on the dictum of the Orientalists that "learning" in the Act of Parliament meant the learning only of the East. The Anglicists, on the other hand, contended for the elimination of all Sanskrit and Arabic from the course of study. They had been worsted in the fight, but their time was now come. They found in the new member of their body, namely Thomas Babington Macaulay, a "Corinthian supporter," who turned the scale in their favor. He put forth, on the 2nd February 1835, a minute which, though disfigured by unseemly and contemptuous attacks on the language, literature, and religion of the people of this country, was fraught with results of the last importance. He asserted that the Act of Parliament correctly interpreted left the Government of India perfectly free to spend the existing grant "for the purpose of promoting learning *in any way* that might be thought advisable", and quite as competent "to direct that it should no longer be employed in encouraging Arabic and Sanskrit, as to direct that the reward for killing tigers in Mysore should be diminished."

The real question, according to Lord Macaulay, was what was the most useful way of employing the money. The vernacular languages, he argued, were admittedly so poor and rude that, until enriched from some other quarter, it would be

difficult to translate any valuable work into them. He went further, and declared that "a single shelf of a good European library was worth the whole Native Literature of India and Arabia;" while, on the other hand, whoever knows the English language, "has access to all the vast intellectual wealth which all the wisest nations of the earth have created and hoarded in the course of ninety generations." Now while I yield to none in my high appreciation of the English language and the value of the treasures contained in it, yet I maintain that the learning of India and Arabia is not altogether /70/ so false and valueless as Lord Macaulay would have us believe. India was the cradle of knowledge, and has given birth to a host of philosophers, metaphysicians, and theologicians, who have developed new lines of thought. Arabia followed in the footsteps of Athens, which contained, so to speak, the concentrated intellect of Europe. She cultivated mathematics, physics, and medical science with great vigor and success. That the philosophical labors of India and Arabia successively resulted in mysticism and idealism, scepticism and sensualism, is not to be wondered at, because they were the sole actors, as justly observed by M. Cousin, in that intellectual arena where in all ages and among all civilized nations they are in turn in the position of combatants and of sovereigns. I can, therefore, well understand the enthusiasm of the Orientaitsts for Sanskrit and Arabic, but I lament the grave error which they committed in making those *dead* languages the media of instruction—an error which would have perpetuated the thraldom of ignorance and superstition, if it had not been exploded by the keen logic and incisive generalization of Lord Macaulay.

In summing up Lord Macaulay thus stated his conclusions—"I think it is clear that we are not fettered by the Act of Parliament of 1813 ; that we are not fettered by any pledge, expressed or implied ; that we are free to employ our funds as we choose ; that we ought to employ them in teaching what is best worth knowing ; that English is better worth knowing than Sanskrit or Arabic ; that the Natives are desirous to be taught English, and are not desirous to be taught Sanskrit or Arabic ; that,

neither as the language of law nor as the language of religion, has the Sanskrit or Arabic any peculiar claim on our encouragement ; that it is possible to make the Natives of this country thoroughly good English scholars ; that to this end our efforts ought to be directed."

This masterly minute proved the death-warrant of Orientalism, and paved the way for the supremacy of English Literature and Science. It placed the keys of knowledge in the hands of my countrymen, and imparted an immense impetus to their moral and mental enlightenment. Lord Macaulay was not satisfied with recording his opinions and carrying the Government of the day with him. He assisted in inaugurating a new system of education in accordance with those views—a system which has been attended with those views—a system which has been attended with the happiest and most momentous results—a system which has served to place the Hindu in a position to raise himself intellectually to a level with the Englishman—a system which has broken down the barrier of demarcation between the /71/ Conquerors and the Conquered, which ignorance and a blind self-interest had upreared, and has enabled the latter to sit on the same, and that the highest bench, with the former and to take a share—and a considerable share—in the administration of the country.

The Education Despatch of 1854 marks a momentous era in the annals of Native education. It affirms and recognizes in clear, emphatic and unmistakeable language the paramount duty of the Government to renovate and educate the people of this country. It constitutes a department of education and provides for its efficient and energetic supervision. It lays down the principle of voluntary action on the part of the people in the promotion of educational institutions, and proposes to encourage and stimulate it by grants-in-aid. It further provides for the diffusion and elevation of education by the establishment of universities.

In accordance with these provisions a member of the civil service was appointed director of education in Bengal, and vested with controlling authority over the officers of the

educational department. Grants-in-aid were freely and liberally accorded to several educational institutions. In 1855 the Hindu College was reorganized and transformed into the Presidency College, in accordance with the spirit of the Despatch of Sir Charles Wood, and the decided opinions of Lord Dalhousie, who deprecated its constitution as the unseemly association of a collegiate institute with a dame's school.

Chairs for moral and mental philosophy, logic, naturae history, astronomy, natural philosophy, and geology were established. A separate department for the study of jurisprudence and law was also organized, and has proved most popular. A department of civil engineering has also recently been established on the abolition of the Civil Engineering College.

In 1857 the Calcutta University was established on the model of the University of London, and was incorporated by Act II of that year. It provides for the grant of the following degrees and licenses :—

ARTS	{ Bachelor of Arts (B.A.)
	{ Master of Arts (M.A.)
LAW	{ Licentiate of Law (L.L.)
	{ Bachelor in Law (B.L.)
	{ Doctor in Law (D.L.) /72/
MEDICINE	{ Licentiate in Medicine and Surgery (L.M.S.)
	{ Bachelor in Medicine (M.B.)
	{ Doctor in Medicine (M.D.)
CIVIL ENGINEERING	{ Licentiate in Civil Engineering (L.C.E.)
	{ Bachelor in Civil Engineering (B.C.E.)
	{ Master in Civil Engineering (M.C.E.)

In 1864 the vernacular languages were excluded from the subjects of examination for the first examination in arts and the B.A. examination, and the classical languages (Latin, Greek, Hebrew, Sanskrit, and Arabic) were substituted for them. Physical science was also excluded and replaced by geometry and optics, chemistry and electricity, zoology and comparative physiology, geology and physical geography.

No organic changes have been made in the constitution of the university or the standard of examination since 1864. The

University building in Putuldangah is in course of construction, and will be completed in 1868.

The principal colleges which are affiliated with the Calcutta University and monopolize its degrees, are the Presidency College, the Dacca College, the Kishnaghur College, Dr. Duff's College and Doveton College. The Presidency College clearly stands foremost in respect to the number and attainments of the graduates and members of the university.

The following brief account of the institution is taken from the Bengal Education Report of 1863-64 :—

"The Presidency College (General Department) is conducted by a principal and six professors, aided by five assistant professors.

"The course of study for under-graduate students extends over four years, and a fifth-year class is also maintained, consisting of graduates who are preparing to present themselves at the examination for university honors or for the M.A. Degree. The college possesses an endowment fund, partly derived from subscriptions raised to commemorate the services rendered to education by Babu Dwarkanath Tagore, Sir Edward Ryan, and Mr. Bird, and partly from sums contributed by the Native community for the maintenance of the old Hindu College. These funds yield a yearly income of Rs. 4,132, which is devoted to the establishment of 10 graduate scholarships, tenable for one year. The holders, who must be Bachelors of Arts, are required to attend the college regularly, and to prepare themselves for the examination for university honors in any branch they may select.

"The large attendance (monthly average 301) at this college, the high fee rate (Rs. 10 per mensem, about to be increased /73/ to Rs. 12) yielding an income of Rs. 32,000 per annum, and the great pre-eminence which the institution has in all the university lists, indicate the position which it has attained, and marked it out as a most encouraging proof of the stimulus which of late years has been given to education in the metropolis. It is true that since 1864 the number of pupils has decreased from 367 to 310, but this is due to the large extension

of the means of college education which has recently taken place in various other colleges both in Calcutta and in the Mofussil, and it is no subject, therefore, for regret. The classes are now stated to be as full as is consistent with a proper attention on the part of the professors to the studies of their pupils."

The next college in point of importance is the Dacca institution. "It is said to have held the position of the best mofussil college in Bengal, but until within the last few years the upper classes existed in little more than the name ; the few students in them being almost without exception scholarship-holders. But of late the Dacca College has improved in this respect. In 1865-66 this college furnished 2 successful candidates for the degree of M.A., 4 for the degree of B.A., and 22 for the first arts examination."

The Hooghly College was founded in 1836, and is supported from funds bequeathed by Mohamed Mosleim[sic]. The Anglo-Persian Department was soon merged into a collegiate institution, with school and college departments like other mofussil colleges. Though nominally a Mahomedan institution, and supported by the legacy of a Mahomedan gentleman, it appears to have been monopolised by the Hindus to the exclusion of the Mahomedans. It was affiliated in 1857. The Arabic Department has languished and exists only in name. The Kishnaghur College has also proved a success. Its staff has recently been raised so as to enable it to educate up to the B.A. degree. The Berhampore College has also extended its usefulness within the last few years. Its proximity to the city of Moorshedabad has not tempted the Mahomedan youth, but it is almost completely monopolised by the Hindus. The Patna College was opened in 1862. The college department numbers only 20 pupils. Among the private colleges that have been affiliated may be mentioned Dr. Duff's College and the Doveton College. The remaining institutes, *viz.*, The General Assembly's Institution, St. Xavier's College, and the Cathedral Mission College do not figure conspicuously in the returns of the university. The following table of the results of the univer-/74/

sity examinations shows the relative position of the Government and private affiliated institutions :—

	First arts examination 1865-66	B.A. examination 1865-66	M.A. examination 1865-66
From Government colleges	130	56	13
From private colleges (aided)	32	15	1
ditto ditto (unaided)	3		
School masters	13	4	1

The Calcutta University, thus fostered and recruited, might fairly be expected to prove a mighty engine for the illumination of the people. I freely admit that its effect on the advanced educational operations has been, on the whole, beneficial. But I deny that it has proved such "a powerful and valuable stimulus to our colleges and schools" as the able and energetic Director of Public Instruction believes, and as we could reasonably wish. I believe it has not fulfilled its objects, and I am inclined to attribute its want of success to its heterogeneous constitution and its defective system of training. Of the former, this is not the place to say anything; but there can be no reasonable ground for maintaining a reticence as to the latter.

The system of education adopted by the university is deficient in several elements for ensuring success. It is based on "cramming" and is, I conceive, calculated to turn out intellectual machines, and not intellectual men. The subjects of examination, are in my judgment, far too numerous to be mastered, or even to be studied to any purpose by any but the ablest candidate. The mind is overlaid with such an immense quantity of undigested learning, that little or no room is left for its unfettered action. It must be slowly and perfectly digested before it can be assimilated with the mental system. There is a point of saturation in the mind, as Dr. Abernethy says, and if a man "takes something more into it than it can hold, it can only have the effect of pushing something else out." The royal road to knowledge has not yet been discovered. I hold cramming to be an evil. With all deference to what the late learned Vice-Chancellor so ingeniously advanced in support of that process,



I believe it is demoralizing and calculated to develop jacks of all trades but masters of none. If the proof of the pudding be in the eating, I could point out to the cases of several alumni of the university, with whom I have been brought into contact, as conclusive evidence of the truth of my contention. These young men have laboured very hard, as they must labour, for the academic distinctions they have obtained ; /75/ but in conversing with them, I have found that they have not retained their knowledge because they had no time to master it or to make it their own. In this respect I am able to declare from a pretty extensive observation that the mental training imparted by the old Hindu College was more healthy than that of the university, and was better calculated to train the students to habits of vigorous and independent thought.

The university system of education has evoked an obloquy which I do not consider as *altogether*, but in some measure unmerited, because it is supposed to take no account of the moral and the spiritual element in man. No system certainly ever meets the requirements of the students unless systematic moral training is imparted. Education, to be complete and effective, must touch not only the head, but the heart. It must embrace the cultivation of the moral as well as of the mental powers. Man is not all intellect, and what conduces only to its development and leaves aside the emotional part of his nature cannot satisfy the ends of his being. The imperative necessity and superlative importance of moral instruction cannot be exaggerated. It is the one thing needful in every sound system of education. What is wanted is not text books, of which there are plenty and to spare, but regular class instruction, which should form a prominent part of the course of study. I know the question is surrounded by difficulties, here as well as elsewhere, arising from differences in religion ; but such difficulties need not stand in the way of expounding and illustrating those broad principles of morality and those cardinal points of religion which are affirmed and recognised by all creeds. There is nothing to prevent the professors and the teachers from teaching their pupils to worship God in *spirit*

in *truth*, and to enforce those religious, moral, and social duties which they owe to their Creator, their fellow beings, and themselves. What I mean to say is, not that moral and religious education consists in the dogmatic inculcation of what the professor may deem true, but that they should give that training which would help their pupils to form their own views in a manner, as Mr. Mill says, "worthy of intelligent beings, who seek for truth at all hazards, and demand to know all the difficulties, in order that they may be better qualified to find or recognise the most satisfactory mode of resolving them."

But while I earnestly advocate moral culture, I would *not* be understood to join those who cry down the Government system as a non-religious or Godless system. I emphatically deny that it is calculated to make only secularists. It has brought to those, /76/ who have come within the range of its influence, inestimable moral and religious benefits. It has taught them great truths, not only respecting men, their histories, their politics, their inventions, and their discoveries, but respecting God, His attributes, and His moral government. It has revealed to them the laws which the Almighty Mechanician has impressed on the world of mind as well as on the world of matter. Let me not be told, therefore, that the expansion of the mind and thought which is going on around us is not accompanied by an expansion of the heart—the development of the moral and religious feelings. Nothing can be more unfair than to characterize the Government system of education, as it is characterized by certain parties, as an irreligious or a non-religious system. No system can be such which leads us through Nature up to Nature's God. The elements of morality and religion may be conveyed independently of any system of dogmatic theology. It is impossible to study Shakespeare and Milton, Bacon and Newton, Johnson and Addison, without being inoculated with the purest moral precepts and the most elevated ideas pervading their pages.

The Government system of education is condemned as insufficient and unsatisfactory, because, while it affords a very

expensive liberal education to the higher classes, it does not reach the masses. Before I proceed to consider the truth or falsity of the charge, let us glance at the efforts already made by Government in this direction and the results with which they have been attended. Lord Hardinge was one of the first rulers who recognized the importance of elementary education; he established 100 *patshallas*, but they languished and died out for want of supervision. No efficient plan for diffusing elementary instruction among the masses was devised till the year 1864. Even in the beginning of that year, the Director of Public Instruction lamented that, although various plans had been devised and tried for bringing school instruction to bear upon the lower orders of the people, yet "the result had almost uniformly been that the schools which have been organized or improved for their benefit have been at once taken possession of and monopolized by classes who stand higher in the social scale." The village *patshallas* had remained in the same primitive state as when Mr. Adam inspected and reported upon them. The few model *patshallas* which had been established by Government, though affording a good vernacular education to a limited number of pupils of a higher social grade, failed in raising the level of the indigenous schools below them. The Normal School system, recently inaugurated, is a step in the right direction, and is calculated to impart a great impetus to /77/ popular education. "The guru students of the Normal Institutions are the nominees of the villagers, who bind themselves to receive them back as their *patshalla* teachers when qualified; the Government on the other hand, giving to every qualified teacher so employed a grant of Rs. 5 per mensem towards his salary."

There are those who, deeply impressed with the evils of the ignorance of the masses, loudly call upon the Government to shut up the colleges and high schools and appropriate the educational grant to the establishment of *patshallas* through the length and breadth of the country. When they make this unreasonable demand, they forget that the education of the upper ten thousand must precede that of the lower myriad

millions. The lower strata of the social fabric must be penetrated through the upper strata. That the downward process of filtration has commenced, is evidenced by the number of schools which have been established and are supported by educated and opulent Natives. In truth, the primary condition of popular education is the previous provision for the liberal education of those classes of the community who, from their means and position in life, are able and willing to devote themselves to study, and to direct and control the instruction of the poorer classes. But the filtration is not so copious as we could wish. I therefore hope and trust that the whole question of popular education may be ere long taken up by the Government and dealt with in a proper spirit, and in accordance with the views of the Education Despatch of 1854. The ruler who will do this will deserve the lasting gratitude of this country.

What I have said of the university and the system of education, I have said not in a captious or cavilling spirit, but in the interest of education itself. I freely and cheerfully admit that the university, though far from perfect, contains the germs of a great institution. I am prepared to make large allowance for it, as it is not the growth, like Oxford or Cambridge, of the institutions of the country, but has been planted by Government. I have no doubt that under an altered constitution and improved agency it will prove a successful stimulus to our colleges and schools. I also believe that the system of education, though defective and susceptible of great improvement, has produced most beneficial results. There is, however, no doubt that education generally and without reference to the past or the present, the Government or the Missionary system, has made giant strides and revolutionized Hindu society. The Bengal of 1835, which Mr. William Adam educationally surveyed and found to be a vast jungle of ignorance, is now the most enlightened as well as the /78/ richest province of the empire. It stands decidedly foremost in regard to education. According to the latest published official record, *viz.*, Mr. Monteath's note on the state of education in India in 1865-66, it boasts of the "largest

number and the best specimens of colleges and schools of the higher and middle classes, filled by pupils whose appreciation of the education extended is attested by the comparatively large amount of the fees paid." The influence of the education imparted by these institutions has been more marked on the Hindus than on the Mahomedans, who have not been so largely subjected to it. It has not only moulded their minds and regulated their feelings, inoculating the former with noble and elevated ideas, and refining and intensifying the latter; but it has wrought a complete change in their social and domestic habits, in their modes of living, of eating and drinking. The Bengal of the present day is radically different from the Bengal of fifty years ago. Liberties in thought and action are *now* fearlessly assumed in broad day-light, which would then have been condemned as pestilential heterodoxy. Customs and usages which before marked the peculiar character of the people, are now severely scrutinised and boldly discarded. What then commanded their unquestioning obedience, is now summoned to the bar of reason, and subjected to a severe sentence of condemnation. The results already realized and the reforms consummated unmistakeably evince the progress of education and augur well for the future of India.

I do not regard education as a panacea for all the evils with which this country is afflicted; but I am convinced it will prove the most mighty instrument for improving and elevating her. I look forward to a mind-illuminating and soul-quickenning education as the most efficient means for effecting such a regeneration in my countrymen as will make them, under the guidance of an enlightened Government, willing and able instruments to work-out their prosperity and happiness. I do not despair of this result. When we consider what was the state of the Hindu mind half a century ago, and contrast it with what we now see,—when we recollect the once dead level of ignorance and its first breaking up—how the entire national mind was dwarfed by superstition and fettered by prejudices—how it has since begun to throw off those fetters—has risen above Brahminical domination and asserted its independence—



I am disposed to be sanguine, and fervently feel that there is ample ground for thankfulness to the Almighty Dispenser of events. /79/

ON THE ORIGIN OF THE HINDU COLLEGE : A REVIEW

BY A. F. SALAHUDDIN AHMED

DURING the early decades of the nineteenth century Bengali Hindu society was in a state of ferment. Old ideas and values, old social customs and rituals were subjected to close and critical examination not only by European Orientalists and missionaries but by Indians themselves.¹ The process which had actually started during the closing years of the eighteenth century was accelerated by English education. The transformation which followed through this process is generally known as 'the Bengal renaissance'. The role of the Calcutta Hindu College in bringing about this development can hardly be over-emphasised.² The College was established with the chief object of promoting European literature and sciences amongst the Hindus. By the beginning of the nineteenth century the Hindu leaders of Calcutta had clearly realized the imperative need of acquiring the knowledge of English language for the material progress of their community. Whereas religious prejudice and lack of political expediency discouraged the Muslims in general from learning English, the Hindus were eager to get themselves acquainted with the language of the new rulers.³ In fact, by 1816 the Hindu leaders of Calcutta had resolved to establish an institution for imparting English education. A number of liberal minded British merchants and officials also came forward to help this cause. Amongst them there was one whose name deserves special mention. He was Sir Edward Hyde East (1764-1847) ; between 1813 and 1822 he was the Chief Justice of the Calcutta Supreme Court.

Until recently it was generally believed that it was David Hare who along with Rammohun Roy and some of his friends took the initiative in establishing the Hindu College. The follow-

ers and admirers of Rammohun Roy have tended to associate his name with every endeavour for promoting Western education in Bengal during the early part of the nineteenth century. It cannot be denied, however, that a number of conservative Hindu leaders especially, Raja Gopimohan Deb and his illustrious son Radhakanta, who were strongly opposed to the reformist religious views of Rammohun, had also made considerable efforts towards that end. In fact, both Rammohun Roy and his conservative opponents seemed to be equally anxious to promote English education although their motives were not quite identical. To Rammohun English education was necessary not only because of its practical utility under the new English rule. He was aware of the possible cultural impact of English education. He believed that through this process Hindus would in course of time be familiar with Western liberal ideas and values and thus would be able to free themselves from their religious and social prejudices. It was Rammohun's firm conviction that English education would serve as an instrument of social change and modernization. On the other hand, orthodox Hindu leaders were eager to promote English education purely out of material considerations. During the long period of Muslim rule, Hindus had not hesitated to learn Persian and even Arabic and this proficiency had brought them gainful employment and profit. After the establishment of British rule Persian was retained for a considerable number of years as the language of official business in the revenue and judicial administration. This was so because the new English rulers were somewhat reluctant to change the old order. They feared that any radical innovation might provoke hostility towards foreign rulers. But the practical-minded Hindu leaders could clearly see that the continuation of Persian under the Company's rule was an anachronism. They could foresee that a knowledge of the language of the new masters would in course of time bring them many practical advantages and opportunities of development in many directions.

Till recent times there has been a controversy regarding the origin of the Hindu College. As early as 1832 the *Calcutta Chris-*

tian Observer maintained that it was David Hare with whom the idea of the Hindu College originated.⁴ The Rev. Alexander Duff (1806-1878) in his evidence given on 3rd June 1853 before a Parliamentary Select Committee noted that "the system of English education commenced in the following simple way in Bengal. There were two persons who had to do with it; one was David Hare, and the other was a Native, Rammohun Roy."⁵ Subsequently, Pearychand Mittra and his brother Kissorychand maintained that the idea came from David Hare.⁶ Radhakanta Deb, however, in a letter to Pearychand pointed out that it was Sir Edward Hyde East who was the real founder of the Hindu College.⁷ The controversy has continued in the present century. B.D. Basu tried to prove that the idea of the Hindu College actually originated with Rammohun Roy.⁸ Brajendranath Benerji at first agreed with this view⁹, but later maintained that the real founder of the College was David Hare.¹⁰ Dr. R.C. Majumdar in an article published in 1955 analysed the different views stated above and concluded that it was at David Hare's suggestion that the Hindu College was founded.¹¹ Dr. Majumdar has now revised his opinion saying that if any one person was responsible for founding the Hindu College, it was neither Rammohun Roy nor David Hare but Sir Edward Hyde East.¹² Dr. Majumdar, however, maintains that "no individual has any claim to be the founder of the Hindu College or originating the idea. It was, really speaking, conceived by the orthodox Hindus, and established by the orthodox Hindus, for the orthodox Hindus."¹³ Dr. N. S. Bose has come forward with the view that the idea of establishing the Hindu College originated with David Hare "which appeared acceptable not only to Rammohun and his friends but also the conservative Hindu elite of Calcutta."¹⁴

The above views regarding the origin of the Hindu College are, however, based on a single source, namely, the Report of the Parliamentary Committee of the House of Lords for the session 1852-53 which contains evidences of Sir Charles Trevelyan, Alexander Duff and William Wilberforce Bird. In course of his evidence given on 30th June 1853, Bird read out a paper which

contained what he believed to be extracts of several letters written by Sir Edward Hyde East to J. H. Harrington in which some interesting details regarding the establishment of the Hindu College were given.¹⁵ According to Bird this paper was given to him by Sir Charles Trevelyan (1807-1886) who again had received it from Sir Edward Hyde East shortly before his death (8 January 1847). According to Bird, in giving this paper to Trevelyan, East was anxious to see "that having been principally instrumental in establishing that institution [Hindu College], the information it contained might not be lost to the world."¹⁶ Earlier, Sir Charles Trevelyan in his evidence before the Parliamentary Committee given on 21st June 1853, had observed : "In the year 1816, the Hindoo gentlemen of Calcutta, assisted by Mr. David Hare, and Sir Edward Hyde East, the Chief Justice, established the Hindoo College for giving instruction in English literature and sciences."¹⁷ In his subsequent evidence given on 28th June 1853, Trevelyan quoted extract from a letter supposed to have been written to J. H. Harrington by Sir Edward Hyde East on 28th May 1817.¹⁸ The same extract was reproduced by Bird in his evidence. It appears that shortly after he had given his evidence, Trevelyan handed over the paper to Bird containing extracts of letters believed to have been written by Sir Edward Hyde East to J. H. Harrington.

There is a manuscript copy of a letter hitherto unnoticed, written by Sir Edward Hyde East, in a volume of documents preserved in the archives of the Society for the Propagation of the Gospel in Foreign Parts, London.¹⁹ This letter which is dated 17th May 1816 and written from Calcutta is addressed to the Earl of Buckinghamshire, President of the Board of Control. Sir Edward obviously did not know that Buckinghamshire had already died on 4th February 1816 in London as a result of a fall from his horse.²⁰ In those days letters despatched from India by sailing ships used to take about five months to reach their destination in England. This letter²¹ clearly shows that it was at the initiative of the conservative Hindu leaders of Calcutta that the Hindu College was established. The letter also indicates

the bitter feelings of the conservative Hindus towards Ram-mohun Roy. It is significant that David Hare's name is not mentioned at all. In fact, the managing committee of the Hindu College was throughout the subsequent period dominated by the conservative Hindus, e.g., Gopimohan Deb, Radhakanta Deb, Ramkamal Sen. Their control over the management was so strong that they had little difficulty in removing Derozio from teaching position in 1831 when the influence of his radical ideas had threatened to bring about a revolution in Hindu society.

There is a remarkable similarity in language and contents between the extracts of a letter dated 18th May 1816 which Bird had read out in course of his evidence before the Parliamentary Committee on 30th June 1853 and the one found in the S. P. G. archives. That the letters of Sir Edward Hyde East, extracts of which Bird produced before the Parliamentary Committee could not have been written to J. H. Harrington is proved by the fact that Harrington was very much in Calcutta in 1816 and, as the letter preserved in the archives of the S. P. G. indicates that his name was proposed by East himself for membership of the Committee of management of the Hindu College.²²

The obvious conclusions which can be drawn from the above discussion are : (1) The letter found in the archives of the Society for the Propagation of the Gospel in Foreign Parts is the original letter of Sir Edward Hyde East which he had written to the Earl of Buckinghamshire. But the letter reached London after Buckinghamshire's death and somehow found its place in the missionary archives. (2) The paper which Sir Edward Hyde East had given to Sir Charles Trevelyan shortly before his death represented what may be described as a later reconstruction from memory and also probably from random notes. In trying to recollect an event which had taken place over thirty years before, East's memory was perhaps somewhat confounded.

Nevertheless, the question arises, if the first letter dated 17th May 1816 found intact in the S. P. G. archives which

East had written to the Earl of Buckinghamshire, is the original letter, and the extracts of the letter dated 18th May 1816 which Bird had produced in his evidence represented a later reconstruction of the same, then to whom were the subsequent letters, i.e., those of 21st May 1816, 28th May 1817, 28th April 1818 and 11th September 1818 written ? The letter of 21st May 1816 was obviously written to Buckinghamshire. But was it Canning who succeeded Buckinghamshire as President of the Board of Control to whom the subsequent letters were addressed ?

Finally, the exercise to find out who was the person with whom the idea of establishing the Hindu College originated, is rather a futile one. A particular idea advocating social change need not always originate with a particular individual. Social change take place because important segments of society collectively desire it. As has been stated above, by the beginning of the nineteenth century Bengali Hindus in general for a variety of reasons were keen to acquire Western education.

NOTES AND REFERENCE

1. For contribution of the Orientalists see : David Kopf. *British Orientalism and Bengal Renaissance*. Calcutta, Firma K. L. Mukhopadhyay, 1969. p. 22-41.

For study from Christian missionary standpoint see : William Ward. *View of the history, literature, and religion of the Hindoos including a minute description of their manners and customs, and translations from their principal works* ; 2nd edition. London, Parbury, Allen & Co., 1828. 3 vols. The first edition appeared in 1817.

Rammohun Roy's *Tuhfat ul Muwahhiddin* which was published in 1804-1805, was the first Indian criticism of not only traditional Hinduism but all traditional religions.

2. J. C. Marshman described the establishment of the Hindu College as "the first national movement in the cause of improvement," see : J. C. Marshman. *The Life and times of*

Carey, Marshman and Ward. London, Longman, Brown, Longmans and Roberts, 1859. p. 119.

According to Kissorychand Mittra the Hindu College was "a mighty instrument for improving and elevating the Hindoos." K. C. Mittra. "The Hindoo College and its founder." in : P. C. Mittra. *A Biographical sketch of David Hare*. Calcutta, W. Newman and Co., 1877. Appendix B, p.xxx.

3. "They [the Hindus] have shown the greatest desire in Calcutta to learn the English language, and have gone to considerable expense for that purpose." Evidence of Capt. Turner Macan, Persian Secretary to the Commander-in-chief, 22 March 1832. *Parliamentary Papers* (House of Commons) 1831-32. IX, 735 II, 158.

4. *The Calcutta Christian Observer* (Calcutta), June 1832, p. 17 ; July 1832, p.68-69.

5. *Parliamentary Papers* (House of Lords) 1852-53. XXXII, 48.

6. P. C. Mittra. *Op. cit.* p.5, xii.

7. *Ibid.* p. 39-40.

8. B. D. Basu. *History of education in India under the rule of the East India Company*. 2nd ed. Calcutta, Modern Review Office, 1935. p.37.

9. Brajendranath Banerji. "Rammohun Roy as an educational pioneer". *The Journal of the Bihar and Orissa Research Society* (Patna), 1930, XVI, II, p.160.

10. Brajendranath Banerji (ed.). *Sangbad patre sekaler katha*. II, p.707-711.

11. R. C. Majumdar. "The Hindu College," *Journal of the Asiatic Society, Letters* (Calcutta), 1955, XXI, 1. p.39-51. Majumdar drew his conclusion from the evidence of Alexander Duff given before the Select Committee of House of Lords on 3rd June 1853 in which he stated obviously from hearsay (Duff arrived in India in 1830) that it was David Hare who first conceived the idea of establishing an institution for promoting English education. Duff in course of his evidence gave details of the

discussion that was supposed to have taken place between Rammohun Roy and David Hare which preceded the meeting at the residence of Sir Edward Hyde East. *Parliamentary Papers* (House of Lords) 1852-53. XXXII, p. 445, 48.

12. R. C. Majumdar. *On Rammohun Roy*. Calcutta, Asiatic Society, 1972. p. 39.

13. *Ibid.*

14. N. S. Bose. "Rammohun Roy and English education : a revaluation." *Nineteenth Century Studies* (Calcutta) 1973, p. 88-89. This view again is based on the evidence of Alexander Duff before the Parliamentary Committee of 1852-53. *Parliamentary Papers* (House of Lords) 1852-53. XXXII, p. 445, 48.

15. For relevant portions of Bird's evidence see Appendix II.

16. *Parliamentary Papers* (House of Lords) 1852-53. XXXII, p. 445, 235.

17. *Ibid.* p. 146.

18. *Ibid.* p. 191.

19. *Fulham Papers 1813-27*, Archives of the Society for the Propagation of the Gospel in Foreign Parts, 15, Tufton Street, London, S. W. 1.

20. C. H. Philips. *The East India Company*. Manchester, University Press, 1940. p. 208.

21. For full text see Appendix I.

22. Recently Subarna Ghose and Asokelal Ghose have in their articles published in the Bengali weekly *Desh* shown that J. H. Harrington was very much present in Calcutta in 1816 and, therefore, the letters mentioned by Bird in his evidence could not have been written to him. From this discovery the Ghoses have cast doubts on the authenticity of East's correspondence as a historical document. *Desh* (Calcutta), 13 Magh 1379, p. 1289-1296 ; Sravan 1380, p. 1277-1283.

Department of History,
Jahangirnagar University,
Dacca.

APPENDIX I

Calcutta 17 May 1816

My Lord,

I have ventured to trouble you with the following communication, as containing matter of interest as well as curiosity—

A proposition was brought to me about a fortnight ago by a Brahmin of Calcutta well known for his intelligence and active interference amongst the principal native inhabitants and intimate with many of our own gentlemen of distinction, signifying that many of the leading Hindoos are desirous of forming an establishment for the education of their children in a liberal manner as practised by Europeans of condition and desired me to lend my aid towards it, by having a meeting held under my sanction. Not being entirely satisfied how the Government felt upon this subject, as no active measures had been publicly taken for applying the annual sum directed by Parliament towards the religious and moral improvement of the Hindoos tho' I believe the matter was then under consideration I at first gave him an evasive answer, stating that however much I might approve of such a measure as an individual, yet in the public situation I held, I should be cautious not to give any appearance of acting from my own impulse in a matter which I was sure the Government would rather leave to themselves the Hindoos to act in as they thought right than in any manner to control them : but that I would take the matter into consideration and if I saw no objection ultimately to the course he proposed, I would inform him of it, and if he would then give me a list of the principal Hindoos to whom he alluded, I would send them an invitation to meet at my house.

In fact several of them had before at different times addressed themselves to me upon this topic but never before in this direct manner. Having dismissed I had an opportunity soon afterwards of consulting Lord Moira (with whom I went to pass a few days at Barrackpore) upon the subject ; and on his Lordship's return to Calcutta he laid my communication before the Supreme Council, all the members of which approved

of the course I had taken and signified through his Lordship, that they saw no objection to my permitting the parties to meet at my house. In fact it seemed to be as good an opportunity as any which could occur of feeling the general pulse of the Hindoos as to the projected system of national moral improvements, without committing the Government in the experiment. The success of it has much surpassed any previous expectation.

The meeting was accordingly held at my House on the 14th of May, at which about 50 and upwards of the most respectable Hindoo inhabitants attended, including the principal Pundits, when a sum of nearly half a lack of rupees was subscribed and many more subscriptions were promised. Those who are well acquainted with this people and know hardly a Hindoo parts with his money upon any abstract speculation of mental advantages will best know how to estimate this effort of theirs.

It is however a beginning made towards mental improvement which surprises those who have known the longest and many of themselves also most of them however appeared to take great interest in the proceedings and all expressed themselves in favour of making the acquaintance of the English language a principal object of education together with its moral and scientific productions.

One of the singularities of the meeting was, that it was composed of persons of various castes, all combining for such a purpose whose children are to be taught but not fed together. Another was that the most distinguished Pundits who attended declared their warm approbation of all the objects proposed, and when they were about to depart, the head Pundit in the name of himself and the other, said that they rejoiced in having lived to see the day when literature (many parts of which had formerly been cultivated in this country with considerable success, but which had been nearly extinct) was now about to be revived with greater lustre and prospect of success than ever.

The principal objects proposed for their adoption had been the cultivation of the Bangalee and English languages in particular. The Hindoostanee tongue as convenient in the Upper



Provinces, and the Persian if desired as ornamental. General duty to God. The English system of morals (the Pundits and some of the most sensible of the rest deplored their national deficiency in morals), Grammar, Writing (in English as well as Bengalee), Arithmetic (This is one of the Hindoo virtues), History, Geography, Astronomy, Mathematics, English Belles Letters, Poetry in time as the fund increases.

Several days have now elapsed since the meeting and I continue to receive numerous applications for permission to attend the next meeting which was appointed to be holden at my house at the distance of a week from the first and I hear from all quarters of the approbation of the Hindoos at large of the plan. They promise that a lack shall be subscribed to begin with. I have desired them to appoint a Committee of their own management taking care only to secure the attendance of 2 or 3 respectable European gentlemen to see that all goes on rightly. I have already proposed for this purpose Mr. Harrington, the Chief Judge of the Sudder Dewanny Adawlut and Mr. Blaymere, one of the magistrates of the city; and hereafter they may ornament their trust with the names of the members of the Supreme Council for the time being. If anything more occurs in the progress of the business worthy of remark it shall be communicated to your Lordship.

May I request the favor of you to forward the enclosed paper to Lord Ellenborough.

I have the honor to be
Your Lordship's
Very faithful and obliged
and humble servant
Sd. E. H. EAST

The Rt. Hon'ble The Earl of Buckinghamshire.

P. S.

I have forgotten to mention some little incidents which as they are characteristic of the people may serve to amuse your Lordship.



I first received some of the principal Hindoos in a room adjoining to that where the general meeting was to be held. There the Pundits, to most of whom I was before unknown were introduced to me. The usual mode of salutation was on this occasion departed from : instead of holding out money in the hands for me to touch (a base and degrading custom) the chief Pundit held out both hands closed towards me ; and as I offered him my hand thinking he wished to shake hands in *our* English style, he disclosed a number of small sweet scented flowers which he emptied into my hand, saying that those were the flowers of literature which they were happy to present to me on this occasion, and requested me to accept from them (adding some personal compliment). I brought the flowers to my face, and told him that the sweet scent of them was an assurance to me that they would prove to be the flowers of Morality as well as of Literature to his nation by the assistance of himself and his friends. This appeared to gratify them very much.

Talking afterwards with several of the company, before I proceeded to open the business of the day, I found one of them in particular a Brahmin of good caste, and a man of wealth and influence, was mostly set against Ramohin Roy, son of the Rajah of Burdwan,¹ a Brahmin of the highest caste, and of great rank and wealth (concerning whose religious opinions and schisms from the common Hindoo faith, I have already made some mention to your Lordship in the papers transmitted by the William Pitt.² He expressed a hope that no subscrip-

1. Sir Edward Hyde East was here obviously referring to Rammohun Roy. It is not surprising that Sir Edward was not acquainted with the reformer personally nor did he remember his correct name. Rammohun had in fact only settled down in Calcutta in 1815 and he was not as yet very much known to the high officials although he had already created a stir in Calcutta Hindu society by his attacks on idolatry. Again, someone must have misinformed Sir Edward that Rammohun Roy was the son of the Raja of Burdwan with whom in fact he had no connection except a legal dispute regarding property in which he was involved for sometime.

2. Unfortunately these papers still remain untraced.

tion would be received from Ramohin Roy. I asked "why not?" "Because he has chosen to separate himself from us and to attack our religion." "I do not know (I observed) what Ramohin's religion is, not having had any communication with him, or being acquainted with him, but I hope that my being a Christian, and a sincere one to the best of my ability, will be no reason for your refusing my subscription to your undertaking." This I said smilingly in a tone of gaiety, and he answered readily in the same style. "No, not at all; we shall be glad to have your money, but it is a different thing with Ramohin Roy, who is a Hindoo, and yet has publicly reviled us, and written against us and our religion, and I suppose and hope there is no intention to change our religion." I answered that I knew of no intention of meddling with their religion. That every object of the establishment would be avowed, and a Committee appointed by them to regulate the details which would enable themselves to guard against everything they should disapprove. That their own Committee would accept or refuse subscriptions from whom they pleased. I added that I being a Christian upon my deliberate conviction, would as a man, spare no pains to make all other men such, if any persuasion of mine could work such a change; but being sensible that such a change was wholly out of my power to effect, the next best thing I could do for them was to join my endeavours to theirs to make them good Hindoos, good men, and enlighten their nation by the benefits of a liberal education which would enable them to improve themselves and judge for themselves. The Brahmin said he had no objection to this, and some of the others laughed and said to me they saw no reason if Ramohin Roy should offer to subscribe towards their establishment, for refusing his money which was as good as other people's. This frank mode of dealing with them I had often before had occasion to observe is the best method of gaining their personal regard and confidence. Upon another occasion I had asked a sensible Brahmin what it was that made some of his people so violent against Ramohin. He said in truth they did not like a man of his consequence to take open part against them. That

he himself had advised Ramohin against it ; that if he had found anything in his opinion, wrong against them, he should have endeavoured by private advice and persuasion to amend it ; but the course he had taken set everybody against him and would do no good in the end. They particularly disliked (and this I believe is at the bottom of their resentment) his associating himself so much as he does with Mussalmen not with this or that Mussalman as a personal friend, but being continually surrounded by them and suspected to join in meals with them. In fact he has I believe nearly withdrawn himself from the society of his brother Hindoos whom he looks down upon ; which wounds their pride. They would rather be reformed by anybody else than by him, but they are now very generally sensible that they want reformation ; and it will be well to do this gradually and quietly under the auspices of government without its sensible interference in details.

APPENDIX II

WILLIAM WILBERFORCE BIRD, Esquire, is called in, and further examined

Perhaps the best thing I can do to explain exactly how the matter originated is to read a very interesting paper which bears upon the subject. It is from Sir Edward Hyde East, who was Chief Justice in the Supreme Court, and it contains extracts of letters addressed by him to Mr. Harrington, who was the Senior Judge of the Sudder Dewanny and Nizamut Adawlut at Calcutta, then absent in England. It is dated the 18th of May 1816, and gives an account of the origin of the Hindoo College. It was given by Sir Edward Hyde East to Sir Charles Trevelyan a short time before his death, in order, he said, that having been principally instrumental in establishing that institution, the information it contained might not be lost to the world. Sir Charles Trevelyan, hearing that I was summoned to-day to be examined, put it into my hands, and I should be glad to read it if the Committee will give me leave.

7098. *Chairman.*] Will you have the goodness to read it ?

The same is read, as follows :

Calcutta, 18 May 1816.

An interesting and curious scene has lately been exhibited here, which shows that all things pass under change in due season. About the beginning of May, a Brahmin of Calcutta, whom I knew, and who is well known for his intelligence and active interference among the principal Native inhabitants, and also intimate with many of our own gentlemen of distinction, called upon me and informed me, that many of the leading Hindoos were desirous of forming an establishment for the education of their children in a liberal manner as practised by Europeans of condition ; and desired that I would lend them my aid toward it, by having a meeting held under my sanction. Wishing to be satisfied how the Government would view such a measure, I did not at first give him a decided answer ; but stated, that however much I wished well, as an individual, to such an object, yet, in the public situation I held, I should be cautious not to give any appearance of acting from my own impulse in a matter which I was sure that the Government would rather leave to them (the Hindoos) to act in, as they thought right, than in any manner to control them ; but that I would consider of the matter, and if I saw no objection ultimately to the course he proposed, I would inform him of it ; and if he would then give me a written list of the principal Hindoos to whom he alluded, I would send them an invitation to meet at any house. In fact, several of them had before, at different times, addressed themselves to me upon this topic, but never before in so direct a manner.

After his departure I communicated to the Governor-general what had passed, who laid my communication before the Supreme Council, all the members of which approved of the course I had taken, and signified, through his Lordship, that they saw no objection to my permitting the parties to meet at my house.

It seemed indeed to be as good an opportunity as any which



could occur of feeling the general pulse of the Hindoos, as to the projected system of national moral improvement of them recommended by Parliament (and towards which they have directed a lac to be annually laid out), and this without committing the Government in the experiment. The success of it has much surpassed any previous expectation. The meeting was accordingly held at my house on the 14th of May 1816, at which 50 and upwards of the most respectable Hindoo inhabitants of rank or wealth attended, including also the principal Pundits ; when a sum of nearly half a lac of rupees was subscribed, and many more subscriptions were promised. Those who were well acquainted with this people, and know how hardly a Hindoo parts with his money upon any abstract speculation of mental advantage, will best know how to estimate this effort of theirs. It is, however, a beginning made towards improvement which surprises those who have known them the longest, and many of themselves also. Most of them, however, appeared to take great interest in the proceedings, and all expressed themselves in favour of making the acquisition of the English language a principal object of education, together with its moral and scientific productions.

I first received some of the principal Hindoos in a room adjoining to that where the generality were to assemble. There the Pundits, to most of whom I was before unknown, were introduced to me. The usual mode of salutation was on this occasion departed from ; instead of holding out money in his hand for me to touch (a base and degrading custom), the chief Pundit held out both his hands closed towards me ; and as I offered him my hand, thinking he wished to shake hands in our English style, he disclosed a number of small sweet-scented flowers, which he emptied into my hand, saying that those were the flowers of literature, which they were happy to present to me upon this occasion, and requested me to accept from them (adding some personal compliments). Having brought the flowers to my face, I told him that the sweet scent was an assurance to me that they would prove to be the flowers of morality, as well as of literature, to his nation, by the assistance

of himself and his friends. This appeared to gratify them very much.

Talking afterwards with several of the Company, before I proceeded to open the business of the day, I found that one of them in particular, a Brahmin of good caste, and a man of wealth and influence, was mostly set against Ramohun Roy, son of the Rajah of Burdwan, a Brahmin of the highest caste, and of great wealth and rank (who has lately written against the Hindoo idolatry, and upbraids his countrymen pretty sharply). He expressed a hope that no subscription would be received from Ramohun Roy. I asked, why not? "Because he has chosen to separate himself from us, and to attack our religion." "I do not know," I observed, "what Ramohun's religion is"—(I have heard it is a kind of Unitarianism)—"not being acquainted or having had any communication with him; but I hope that my being a Christian, and a sincere one, to the best of my ability, will be no reason for your refusing my subscription to your undertaking." This I said in a tone of gaiety: and he answered readily in the same style, "No, not at all; we shall be glad of your money; but it is a different thing with Ramohun Roy, who is a Hindoo, and yet has publicly reviled us, and written against us and our religion; and I hope there is no intention to change our religion." I answered, that that "I knew of no intention of meddling with their religion; that every object of the establishment would be avowed, and a committee appointed by themselves to regulate the details, which would enable themselves to guard against everything they should disapprove of; that their own committee would accept or refuse subscriptions from whom they pleased." I added that, "I being a Christian, upon my deliberate conviction, would, as a man, spare no pains to make all other men such, if any persuasion of mine could work such a change; but being sensible that such a change was wholly out of my power to effect, the next best thing I could do for them was to join my endeavours to theirs to make them good Hindoos, good men, and to enlighten their nation by the benefits of a liberal education, which would enable them to improve themselves, and judge for themselves." The Brahmin said he had no objection to



this ; and some of the others laughed and observed to me, that they saw no reason, if Ramohun Roy should offer to subscribe towards their establishment, for refusing his money, which was as good as other people's.

This frank mode of dealing with them, I have often before had occasion to remark, is the best method of gaining their personal regard and confidence. Upon another occasion I had asked a very sensible Brahmin what it was that made some of his people so violent against Ramohun. He said, in truth, they did not like a man of his consequence to take open part against them ; that he himself had advised Ramohun against it : he had told him, that if he found anything wrong among his countrymen, he should have endeavoured, by private advice and persuasion, to amend it ; but that the course he had taken set everybody against him, and would do no good in the end. They particularly disliked (and this I believe is at the bottom of the resentment) his associating himself so much as he does with Mussulmans, not with this or that Mussulman, as a personal friend, but being continually surrounded by them, and suspected to partake of meals with them. In fact, he has, I believe, newly withdrawn himself from the society of his brother Hindoos, whom he looked down upon, which wounds their pride. They would rather be reformed by anybody else than by him. But they are now very generally sensible that they want reformation ; and it will be well to do this gradually and quietly, under the auspices of Government, without its sensible interference in details.

The principal objects proposed for the adoption of the meeting (after raising a subscription to purchase a handsome piece of ground, and building a college upon part of it, to be enlarged hereafter, according to the occasion and increasing of funds), were the cultivation of the Bengalee and English languages in particular ; next, the Hindostanee tongue, as convenient in the Upper Provinces ; and then the Persian, if desired, as ornamental ; general duty to God ; the English system of morals (the Pundits and some of the most sensible of the rest bore testimony to and deplored their national deficiency in morals) ; grammar, writing (in English as well as Bengalee), arithmetic

(this is one of the Hindoo virtues), history, geography, astronomy, mathematics ; and in time, as the fund increases, English belles letters, poetry, &c. &c.

One of the singularities of the meeting was, that it was composed of persons of various castes, all combining for such a purpose, whom nothing else could have brought together ; whose children are to be taught, though not fed, together.

Another singularity was, that the most distinguished Pundits who attended declared their warm approbation of all the objects proposed ; and when they were about to depart, the head Pundit, in the name of himself and the others, said that they rejoiced in having lived to see the day when literature (many parts of which had formerly been cultivated in their country with considerable success, but which were now nearly extinct) was about to be revived with greater lustre and prospect of success than ever.

Another meeting was proposed to be held at the distance of a week ; and during this interval I continued to receive numerous applications for permission to attend it. I heard from all quarters of the approbation of the Hindoos at large to the plan ; they have promised that a lac shall be subscribed to begin with. It is proposed to desire them to appoint a committee of their own for management, taking care only to secure the attendance of two or three respectable European gentlemen to aid them, and see that all goes on rightly.

21st May. — The meeting was held to-day, and all going on well. I wrote to you last, by the Indian dak which sailed in June, an account of the Hindoo meeting here for the purpose of establishing a college or school for the English language and literature ; nearly a lac of rupees has been subscribed by the Hindoos, of which more than half has been paid in, and the rest is in the course of collection. The completion of the institution has been retarded in deference to the opinion of one of the members in Council, who thought that the Government should not show any outward marks of countenancing any plan of this description, by giving patronage, land or money (all of which the subscribers wished), which might give umbrage to the Hindoos



in the country, though it was desired by all the principal Hindoos in Calcutta. The intervening time, however, since the plan was set on foot, has shown how groundless this apprehension was ; for not long after, the Rajah of Burdwan, one of the greatest Hindoo landowners under the Company, sent in a subscription of 12,000 rupees, with an offer of much more if the plan succeeded ; and other sums have been subscribed by the Hindoos in the different provinces, who have their agents in Calcutta ; many, indeed, of the principal Hindoos in Calcutta who were the promoters of the institution, are themselves considerable landowners, by purchase, in different parts of the country. The committee appointed amongst themselves have framed their general rules, and take the active management of it on themselves, and intend opening their under school in January next. They still hope that the Government will patronise their endeavours and assist them, either with land or money, to build their college, and encourage their efforts to acquire something more of a classical knowledge of the English language and literature than they are able individually to acquire in general by private instruction. When they were told that the Government was advised to suspend any declaration in favour of their undertaking, from tender regard to their peculiar opinions, which a classical education, after the English manner, might trench upon, they answered very shrewdly, by stating their surprise that any English gentlemen should imagine that they had any objection to a liberal education ; that if they found anything in the course of it which they could not reconcile to their religious opinions, they were not bound to receive it ; but still they should wish to be informed of everything that the English gentlemen learnt, and they would take that which they found good and liked best. Nothing can show more strongly the genuine feeling of the Hindoo mind than this clinging to their purpose, under the failure of direct public encouragement in the first instance. Better information as to their real wishes, and accumulating proofs of the beneficial effects of an improved system of education amongst them, will, I trust, remove all prejudices on this subject from amongst



ourselves, with some of whom they actually exist in a much stronger degree than amongst the Hindoos themselves.

Calcutta, 28 May, 1817.

I send you the enclosed rules of our Hindoo College as a curiosity (*see* Paper marked A.); it is making progressive improvement, and is very popular with the Hindoos, who have subscribed nearly a lac of rupees, and have paid up above two-thirds of the subscription. If it be approved at home, the Hindoos will consider themselves much honoured by the subscriptions of their friends in England.

This plan, having taken so well, has encouraged the formation of another for the providing books of moral and amusing and scientific instruction, for Native youths of all descriptions; in which plan the Hindoos and Mussulmans have united with English gentlemen. I send you also a prospectus of this society (*see* Paper marked B.). This is the only safe and practical method to stop the fearful course of demoralization amongst this people, and to give them in time better views. In the meantime its immediate effect is to promote honest, peaceable and orderly habits.

Calcutta, 28 April 1818.

When I wrote to you in May last, I enclosed the printed rules of our Hindoo College, and also those of the British, Hindoo, and Mussalman School Book Society. That they will do good I have no doubt, but it will be imperceptible for a time. There are some few well-disposed and sensible Hindoos with whom one of these institutions has brought me into close and frequent contact. They wish much for improvement, but this cannot come at once. They have difficulties to overcome much beyond the sphere of their personal feelings and influence; in respect to which latter, I have generally found them ready to give a liberal confidence, which it has been my wish to encourage by friendly advice, and as far as I can, by prudent counsel. I have always dealt frankly and candidly by them; and I believe that the course we are pursuing is nearly the best practical

course which the state and condition of them and of ourselves will allow of. It is noiseless at least, though it is slow.

I have not much intimate acquaintance among the Mussalmans, excepting with a very few of rank ; but the General School Book Society has made me acquainted with a few more of them amongst their learned ; generally speaking, they are a much more enlightened race than their neighbours, but with much stronger prejudices, and greater bigotry. No person who has not lived amongst and familiarized himself with either class can judge at all of their present state, and, therefore, the lucubrations in the English reviews upon the Hindoos and Mussulmans are, for the most part, very superficial. The knowledge of their feelings, and the view of their difficulties, can only be comprehended well by personal intercourse and observation ; you must make great allowance, therefore, for all the expectations which different sets of men are apt to raise from particular examples before their own eyes, and still more from the relations of others.

I mention these things, not to repress hope of future or even of some present amelioration, but to regulate it, and keep it within the sober bounds of experience. In the actual state of human sense of these countries, moral and useful education will be the best handmaid to sounder doctrine. As the heart is made to feel and enjoy domestic relations and social virtues, and the intellect is exercised in useful knowledge, the mass of the people will be naturally lifted above their gross and puerile superstitions, and be led to the true knowledge of God. Let each class of persons, therefore, lend its aid in its own vocation to this happy result. The most that any person can contribute is, after all, but as a grain of sand ; but by patience in such well-doing, a soil will at last be formed fit for the reception of the good seed, to which God only can give the increase.

In a general point of view, the late political events in India cannot fail to be very interesting, inasmuch as they will greatly accelerate the civilization and national happiness and prosperity of the whole Indian peninsula, and greatly improve the condition of the people at large, who have been for many

ages the prey of rapine and cruelty. The very principle of the Mahratta rule was founded in barbarism, and many of its military hordes subsisted systematically upon plunder. It cannot be expected that this spirit can be immediately extinguished ; but the body of its power is broken, and it remains only for our Government at home to consolidate and improve that which has been so ably achieved here.

Calcutta, 11 September 1818.

I wrote to you in April last, giving you some account how matters are going on here ; since which time they have been progressively improving, both morally and politically. Peace is re-established under the best auspices of future prosperity to the country. The general desire of the people (with the exception of a few ambitious chiefs) is to come under the British rule throughout all Hindostan ; and the school system is spreading every day, and requires only prudence and patience to perfect good instruction. England has a high destiny to fulfil.

BOOK REVIEW

The Growth of education and political development in India, 1898-1920, by Aparna Basu. Delhi, Oxford University Press, 1974. 258 p. Rs. 40.

THIS book, a doctoral thesis by Dr. Aparna Basu at the University of Cambridge claims to study the growth of Indian education and political development between 1898 and 1920. In a short but learned introduction the author has pointed out the aim of her thesis where 'three themes are interwoven', viz, official education policy, the growth of English education and the exploration of the extent to which education was a determinant of political activity.

To analyse this multilevel development and to find out the interaction of forces is indeed a great task and here Dr. Basu has shown her capability as a scholar. Her power of expression is lucid and absorbing which carries conviction to the reader.

The book consists of eight chapters, the first of which deals with Curzon and educational policy. It is well known that Lord Curzon's analysis of the defects of Indian education was masterly. By introducing a large number of reforms Curzon really placed the Indian education on a better footing though the strengthening of government's control over Indian education did antagonise the Indians.

The evaluation of Lord Curzon's educational policy reveals the clear sense of judgement of the author.

The second chapter points out Curzon's attempt to improve the conditions of Indian higher education by introducing reforms as "Standards were everywhere in need of improvement—standards of teaching ; of examination ; of staffing ; of accommodation", and so on. The Indian reaction to Curzon's reforms was sharp. The fear was that it would deprive the university of its freedom and in the internal administration the Europeans

would dominate. The first apprehension was correct whereas the second was unfounded. The author has tried to elucidate it in her observations regarding the new composition of the Senate in the five universities of India. However, the author's contention that in the university education of India things did not improve after 1904 does not carry much conviction because it is well known that Curzon's policy was successful in respect of standards, teaching by universities and research work. Hence to say that "the state of Indian universities and colleges in 1920 was very similar to what it had been when Curzon assumed office" is not the correct appraisal of the development.

Chapter three concentrates its focus mainly on the failure of government's policy ignoring the credit side of the development. Surely there was large amount of failure of government's policy in the face of growing discontentment of the people on various issues but there was a general improvement in physical facilities and in staff of secondary schools between 1904 and 1920.

The writer describes in chapter four the failure of the government to give adequate priority to primary education, the growing craze for English education, the very slow progress of technical education and the various difficulties of the government which made its machinery "powerless to bring the system of education under control or to assign new priorities."

The reviewer here maintains that the government's policy between 1898 and 1920 and in other periods was based mainly on tried and discarded practices in England. It was a slavish practice of methods of other countries hence it failed in this country.

The fifth chapter outlines the growth of education in different parts of the country and among different communities at varying speeds. Dr. Basu's study of the rate of growth of education among the different classes of the society is absorbing. She did a brilliant research work to point out that the higher castes of the Hindus got the earliest advantage of the English education and slowly the other castes and the Muslims caught up very fast particularly in Madras. The charts carry convincing records.



In chapters VI and VII the writer has pointed out the wrong policy of the government which greatly encouraged the entrance of a very unhealthy spirit—a spirit of separatism in Indian education and politics. In the opinion of the reviewer this was a corollary of the administrative policy—a policy of divide and rule. This led to the establishment of Aligarh Muslim University and Benares Hindu University during this period.

The last chapter refers to the development of Indian National movement and its effect on Indian education. The author has examined the development in four provinces separately. In examining the growth of national movement the author has discussed the role of education in Swadeshi movement in Bengal. It is surprising that the author while describing the plight of a large number of national schools has not mentioned the continuance of the Technical Institute at Jadavpur which later develops into Jadavpur College of Engineering and Technology. The author has not brought the non-cooperation movement and its great impact on Indian education particularly on higher education within the scope of her dissertation. In spite of the great failure of the national education movement the spirit of the movement did not die out and it continued in the working of some special institutions like Visvabharati (1921) and Jamia Milia Islamia (1920).

In conclusion it is needless to say that Dr. Basu has rendered a service of great value in presenting a critical survey of a controversial period in the history of Indian education. The author has collected all the relevant materials available and evaluated them with her scholarly judgement for which she deserves appreciations.

*Department of Education,
Shri Shikshayatan, Calcutta.*

CHHAYA BHATTACHARJEE

THE PRACTICE OF WIDOW-MARRIAGE AMONG HINDUS

BY ESHWAR CHUNDRA VIDYASAGAR

MANY Hindus are now thoroughly convinced of the pernicious consequences arising from the practice of prohibiting the marriage of widows. Many are already prepared to give their widowed daughters, sisters and other relations in marriage, and those, who dare not go so far, acknowledge it to be most desirable that this should be done.

Whether widow-marriage is consonant to our *Sastras*, is a question which, a short while ago, was discussed by some of the principal Pundits of our country. But, unfortunately, our modern Pundits, carried away, in the heat of controversy, by a passion for victory, become so eager to maintain their respective dogmas that they entirely lose sight of the subject they are investigating ; and hence there is no hope of arriving at the truth of any question by convening an assembly of Pundits and setting them to debate on it. At the discussion above alluded to, each party considered itself victorious and its antagonist foiled. It is easy, therefore, to conceive how the question was decided. In fact, nothing was settled as to the point at issue. One great object, however, has been gained, and that is that most people, since that period, have been extremely anxious to ascertain the truth of this matter. Perceiving this eagerness I have been led to enquire into the subject ; and, in order to apprise the public at large, how far I have succeeded in my enquiries, I have published this treatise in the vernacular language of the country. So that after an impartial examination of it, the Hindu public may judge for themselves, whether widow-marriage ought to be practised or not.

In entering upon this enquiry we should, first of all, consider /1/ that, since widow-marriage is a custom which has not

prevailed among Hindus for many ages, in seeking to give our widows in marriage we propose an innovation and are bound to shew that the custom is a proper one ; for if it be otherwise, no man, having any regard for religion, would consent to its introduction, and it is, therefore, highly necessary to establish first the propriety of this custom. But how is this to be done ? not by reasoning alone, for it will not be admitted by our countrymen that mere reasoning is applicable to such subjects. The custom must have the sanction of the *Sastras* ; for in matters like this, the *Sastras* are the paramount authority among Hindus, and only such acts as are conformable to them are deemed proper. It must, therefore, first be settled, whether widow-marriage is a custom consonant or opposed to the *Sastras*.

At the very outset of the enquiry as to whether widow-marriage is consonant or opposed to our *Sastras*, we find it necessary to decide what are those *Sastras*, the sanction or prohibition of which will determine the propriety or impropriety of the practice. Certainly, *Vyakarana* (Grammar), *Kavya* (Poetry), *Alankara* (Rhetoric), *Darsana* (certain systems of Philosophy) &c., &c., are not *Sastras* of this kind. It is only the works known as *Dharma Sastras*, that is to say, the works comprising the whole body of ceremonial and religious observances, moral duties, and municipal law, that are every where regarded as the *Sastras* to be referred to in deciding such questions.

In the first chapter of the *Yajnavalkya-Sanhita* there is an enumeration of what are called the *Dharma Sastras*, namely,

मन्वत्रिविष्णुहारीत याज्ञवल्क्योशनोऽङ्गिराः ।

यमापस्तम्बसंवर्त्ताः कात्यायनवृहस्पती ॥

पराशर व्यास शङ्ख लिखिता दक्षगोतमी ।

शातातपो वशिष्ठश्च धर्मशास्त्रप्रयोजकाः ॥

"*Manu, Atri, Vishnu, Harita, Yajnavalkya, Usana, Angira, Yama, Apastamba, Sanbarta, Katyayana, Vrihaspati, Parasara, [2] Vyasa, Sankha, Likhita, Daksha, Gotama, Satatapa, and Vasistha* are the authors of the *Dharma Sastras*."

The *Sastras* promulgated by these Rishis are the *Dharma Sastras*.^{*} The people of India (Hindus) observe those *Dharmas* (duties) which are enjoined in these *Sastras*; and acts are considered proper or improper according as they are consonant or opposed, to these *Dharma Sastras*; hence widow-marriage will be countenanced, if conformable, and repudiated, if repugnant, to the *Dharma Sastras*.

Now it is to be considered whether all the *Dharmas* inculcated in all the *Dharma Sastras*, are to be observed in all the *Yugas*. There is a solution of this question in the first chapter of the *Dharma Sastra* of Manu :

अन्ये कृतयुगे धर्मास्त्रेतायां द्वापरेऽपरे ।

अन्ये कलियुगे नृणां युगज्ज्ञासानुरूपतः ॥

"Human power decreasing according to the *Yugas*, the *Dharmas* of the *Satyayuga* are one thing, those of the *Treta* another. The *Dharmas* of the *Dwapara* are one thing, those of the *Kaliyuga* another." That is to say, the *Dharmas* which the people of prior *Yugas* practised cannot now be observed by the people of the *Kaliyuga*, because human power decreases in every successive *Yuga*. Men of the *Tretayuga* had not the power of observing the *Dharmas* of the *Satyayuga*, those of the *Dwapara* could not observe the *Dharmas* of either the *Satya* or *Tretayuga* and those of the *Kaliyuga* lack strength to follow the *Dharmas* of the *Satya*, *Treta* or *Dwaparayuga*.

It clearly appears, then, that the people of the *Kaliyuga* are unable to practise the *Dharmas* of the past *Yugas*; and the question arises what are those *Dharmas* which the people of the *Kaliyuga* are to observe. In the *Dharma Sastra* of Manu it is merely stated that there are different *Dharmas* for the /3/ different *Yugas*, but the *Dharmas* peculiar to the different *Yugas* have not been specified. Neither in the *Dharma Sastras* of Atri, Vishnu, Harita and others mention is made of these different *Dharmas*. Certain *Dharmas* are indeed inculcated in these *Dharma Sastras*; but it is difficult to determine the

^{*}Besides these the *Sastras* promulgated by Narada, Baudhayana and some other Rishis are reckoned as *Dharma Sastras*.

Dharmas which, owing to the decrease of human power in successive *Yugas*, are appropriate to each *Yuga*. It is in the *Parsara Sanhita* only that there is an assignment of the *Dharmas* peculiar to the different *Yugas*. Thus it is mentioned in the first chapter of the *Parsara Sanhita* :

कृते तु मानवो धर्मस्त्रेतायां गौतमः स्मृतः ।

द्वापरे शाङ्गलिखितः कलौ पाराशरः स्मृतः ॥

"The *Dharmas* enjoined by Manu are assigned to the *Satya-yuga* ; those by Gotama, to the *Treta* ; those by Sankha and Likhita to the *Dwapara* ; and those by Parasara, to the *Kaliyuga*."

That is, the people of the *Satya*, *Treta* and *Dwapara* practised the *Dharmas* prescribed by Manu, Gotama, and Sankha and Likhita respectively and the people of the *Kaliyuga* are to observe the *Dharmas* prescribed by Parasara.* It is clear, therefore, that as Parasara has prescribed only the *Dharmas* of the *Kaliyuga* the the people of the *Kaliyuga* ought to follow the *Dharmas* prescribed by him, and those alone.

On observing how the *Parasara Sanhita* opens, there will not remain the shadow of a doubt that its sole object is to promulgate the *Dharmas* of the *Kaliyuga*. /4/

अथातो हिमशैलाग्रे देवदारुबनालये ।

व्यासमेकाग्रमासीनमपृच्छन्न षयः पुरा ॥

मानुषाणां हितं धर्मं वर्त्तमाने कलौ युगे ।

शौचाचारं यथावच्च वद सत्यवतीसुत ॥

*It may be asked if the *Dharma Sastra* promulgated by Manu were to be followed only in *Satyayuga* ; that of Gautama only in the *Treta* ; that of Sankha and Likhita only in the *Dwapara* and that of Parasara only, in the *Kaliyuga*, when are the *Dharma Sastras* composed by the other Rishis to be observed. But this question admits of an easy answer.

The *Dharma Sastras* of Manu, Gautama, Sankha and Likhita and of Parasara are peculiar to the *Satya*, *Treta*, *Dwapara* and *Kaliyuga* respectively and such parts of the other *Dharma Sastras* as are not at variance with those prominent *Sastras* are to be followed in those *Yugas*.

तच्छ्र त्वा ऋषिवाक्यन्तु समिद्धारन्यर्कसन्निभः ।
 प्रत्युवाच महातेजाः श्रुतिस्मृतिविशारदः ॥
 नचाहं सर्वतत्त्वज्ञः कथं धर्मं वदाम्यहम् ।
 अस्मत्पितैव प्रष्टव्य इति व्यासः सुतोऽवदत् ॥
 ततस्ते ऋषयः सर्वे धर्मतत्त्वार्थकाङ्क्षिणः ।
 ऋषि व्यासं पुरस्कृत्य गता वदरिकाश्रमम् ॥
 नानावृक्षसमाकीर्णं फलपुष्पोपशोभितम् ।
 नदीप्रस्त्रवणाकीर्णं पुण्यतीर्थैरलङ्कृतम् ॥
 मृगपक्षिगणाद्यञ्च देवतायतनावृतम् ।
 यक्षगन्धर्वसिद्धैश्च नृत्यगीतसमाकुलम् ॥
 तस्मिन्नृषिसभामध्ये शक्तिं पुत्रं पराशरम् ।
 सुखासीनं महात्मानं मुनिमुख्यगणावृतम् ॥
 कृताञ्जलिपुटो भूत्वा व्यासस्तु ऋषिभिः सह ।
 प्रदक्षिणाभिवादैश्च स्तुतिभिः समपूजयत् ॥
 अथ सन्तुष्टमनसा पराशरमहामुनिः ।
 आह सुखागतं ब्रूहीत्यासीनो मुनिपुङ्गवः ॥
 व्यासः सुखागतं ये च ऋषयश्च समन्ततः ।
 कुशलं कुशलेत्युक्त्वा व्यासः पृच्छत्यतः परम् ॥
 यदि जानासि मे भक्तिं स्नेहादा भक्तवत्सल ।
 धर्मं कथय मे तात अनुग्राह्यो ह्यहं तव ॥
 श्रुता मे मानवा धर्मा वाशिष्ठाः काश्यपास्तथा ।
 गागया गौतमाश्चैव तथाचौशनसाः स्मृताः ॥
 अत्रेर्विशोश्च सांवर्त्ताः दाक्षा आङ्गिरसास्तथा ।
 शातातपाश्च हारीता याज्ञवल्क्यकृताश्च ये ॥
 कात्यायनकृताश्चैव प्राचेतसकृताश्च ये ।
 आपस्तम्बकृता धर्माः शङ्खस्य लिखितस्य च ॥

श्रुता ह्येते भवत्प्रोक्ताः श्रौतार्थास्ते त विस्मृताः ।
 अस्मिन् मन्वन्तरे धर्माः कृतव्रेतादिके युगे ॥
 सर्वे धर्माः कृते जाताः सर्वे नष्टाः कलौ युगे ।
 चातुर्वर्ण्यसमाचारं किञ्चित् सधारणं वद ॥
 व्यासवाक्यावसाने तु मुनिमुख्यः पराशरः ।
 धर्मस्य निर्णयः प्राह सूक्ष्मं स्थूलञ्च विस्तरात् ॥

"In times of yore some Rishis thus addressed Vyasadeva, declare to us, oh son of Satyavati ! what are the *Dharmas* and *Acharas* beneficial to men in the *Kaliyuga* : Vyasadeva, on hearing these words of the Rishis, said as I know not the truth of all things how shall I declare the *Dharmas*. My father should be consulted on the subject. Then the Rishis, accompanying Vyasadeva, arrived at the retreat of Parasara : Vyasadeva and the Rishis, with joined palms, circumambulated, saluted and glorified Parasara. The great Rishi Parasara having welcomed them with a joyous heart and made enquiries, they informed him of their own welfare. After which Vyasadeva said, Oh Sire ! I have heard from you, the *Dharmas* peculiar to the *Satya*, *Treta* and *Dwapara* as prescribed by Manu and others, and what I have heard, I have not forgotten : all the *Dharmas* originated in the *Satyayuga*, all of them have expired in the *Kaliyuga* : declare therefore some of the common *Dharmas* of the four *varnas* (castes). On the conclusion of Vyasa's speech, the great Rishi Parasara began to declare the *Dharmas* in detail." /6/

At the commencement of the 2nd chapter of the Parasara Sanhita also, there plainly appears resolution to speak the *Dharmas* peculiar to the *Kaliyuga* : thus—

अतःपरं गृहस्थस्य धर्माचारं कलौ युगे ।
 धर्मं साधारणं शक्यं चातुर्वर्ण्याश्चमागतम् ॥
 संप्रवक्ष्याम्यहं पूर्वं पराशरवचो यथा ॥

"Now, I shall declare the *Dharmas* and *Acharas* to be practised by a grihastha (householder) in the *Kaliyuga*. As I

(Parasara) declared of old, so shall I declare the common *Dharmas* practicable by the four *varnas* (castes) and the four *Asramas* (orders) ;" that is, I shall speak of the *Dharmas* which men in the *Kaliyuga* will be able to observe.

After all this, it can neither be denied nor questioned that the Parasara Sanhita is the *Dharma Sastra* of the *Kaliyuga*.

Now, it should be enquired, what *Dharmas* have been enjoined in the Parasara Sanhita for widows. We find in the 4th chapter of this work the following passage :—

नष्टे मृते प्रव्रजिते क्लीवे च पतिते पतौ ।
 पञ्चस्वापत्सु नारीणां पतिरन्यो विधीयते ॥
 मृते भर्त्तरि या नारी ब्रह्मचर्य्यं व्यवस्थिता ।
 सा मृता लभते स्वर्गं यथा ते ब्रह्मचारिणः ॥
 तिस्रः कोट्योऽर्द्धकोटी च यानि लोमानि मानवे ।
 तावत् कालं वसेत् स्वर्गं भर्त्तारं यानुगच्छति ॥

"On receiving no tidings of a husband, on his demise, on his turning an ascetic, on his being found impotent or on his degradation—under any one of these five calamities, it is canonical for women to take another husband : that woman, who on the decease of her husband, observes the *Brahmacharya* attains heaven after her death : and she, who burns herself with [7] her deceased husband, resides in heaven for so many *Kalas* as there are hairs on the human body or thirty-five millions."

Thus it appears that Parasara prescribes three rules for the conduct of a widow ; first marriage, second the observances of the *Brahmacharya* and third burning with the deceased husband. Among these, the custom of concremation, has been abolished by order of the ruling authorities ; only two ways, therefore, have now been left for the widows ; they have the option of marrying or of observing the *Brahmacharya*. But in the *Kaliyuga*, it has become extremely difficult for widows to pass their lives in the observance of the *Brahmacharya* and it is for this reason, that the philanthropic Parasara has, in the

first instance, prescribed marriage. Be that as it may what I wish to be clearly understood is this—that as Parasara plainly prescribes marriage as one of the duties of women in the *Kaliyuga* under any one of the five above enumerated calamities, the marriage of widows in the *Kaliyuga* is consonant to the *Sastras*.

It being settled that widow-marriage in the *Kaliyuga* is consonant to the *Sastras*, we should now consider whether the son born of a widow on her re-marriage, should be called a *Paunarbhava*. There is a solution of this question in the Parasara Sanhita itself. Twelve different sorts of sons were sanctioned by the *Sastras* in the former *Yugas*, but Parasara has reduced their number to three for the *Kaliyuga* ;

औरसः क्षेत्रजश्चैव दत्तः कृत्रिमकः सुतः ।

“The *Aurasa* (son of the body or son by birth), the *Dattaka* (son given) and the *Kritrima* (son made or adopted).”* /8/

Parasara, then, ordains three different sorts of sons in the *Kaliyuga*, the son by birth, the son given and the son made or adopted and makes no mention of the *Paunarbhava* ; but as he has prescribed widow-marriage, he has, in effect, legalized the son born of a widow in lawful wedlock.

Now, the question to be decided is, whether this son should be called *Aurasa* (son of the body), *Dattaka* (son given) or *Kritrima* (son made or adopted). He can neither be called *Dattaka* nor *Kritrima*, for the son of another man, adopted agreeably to the injunctions of the *Sastras* is called *Dattaka* or *Kritrima* according to the difference of the ritual observed during the adoption. But since the son begotten by a man himself on the widow to whom he is married, is not another's son, he cannot be designated by either of those appellations. The definitions of the *Dattaka* (son given) and *Kritrima* (son made or adopted) as given in the *Sastras*, cannot be applied to

* In the Text there appears an enumeration of four different sorts of sons, but Nanda Pandita in his *Dattaka Mimansa*, has, by his interpretation of this passage, established that there are only three different sorts of sons in the *Kaliyuga*, the son of the body, the son given and the son made or adopted. I have followed his interpretation.

the son begotten by a man himself on the widow married to him, but he falls under the description of the *Aurasa* (son by birth). Thus —

माता पिता वा दद्यातां यमद्भिः पुत्रमापदि ।

सदृशं प्रीतिसंयुक्तं स ज्ञेयो दत्तिमः सुतः ॥*

“The son given, according to the injunctions of the *Sastras*, by either of his parents, with a contented mind, to person of the same caste, who has no male issue, is the *Dattaka* (son given) of the donee.”

सदृशन्तु प्रकुर्यादयं गुणदोषविचक्षणम् ।

पुत्रं पुत्रगुणैर्युक्तं स विज्ञेयस्तु कृत्रिमः ॥*

“He who is endowed with filial duties and well acquainted with merits and demerits, when affiliated by a person of the same class, is called *Kritrima* son (son made or adopted).”

स्वे क्षेत्रे संस्कृतायान्तु स्वयमुत्पादयेद्भि यम् ।

तमौरसं विजानीयात् पुत्रं प्रथमकल्पितम् ॥* /9/

“Whom a man himself has begotten on a woman of the same class, to whom he is married, know him to be the *Aurasa* (son of the body) and the first in rank.”

The judicia of an *Aurasa* (son by birth) as above set forth, apply, therefore, with full force to the son begotten by a man himself on a widow of the same class to whom he is wedded.

Since the *Parasara Sanhita* prescribes widow-marriage and out of twelve legalizes only three sorts of sons in the *Kaliyuga* — since the judicia of the *Dattaka* (son given) and of the *Kritrima* (son made or adopted), do not apply to the son born of a widow in lawful wedlock, while those of the *Aurasa* (son by birth), apply to him with full force, we are authorized to recognize him as the son of the body. It can by no means be established that *Parasara* intended to reckon the son of a wedded widow in the *Kaliyuga* as a *Paunarbhava* by which name such sons were designated in the former *Yugas* ; and had it been necessary

*Manu Ch. IX.

to give them the same designation in the *Kaliyuga*, Parasara would, certainly have included the *Paunarbhava* in his enumeration of the different sorts of sons in the *Kaliyuga*. But far from this. The term *Paunarbhava* is not to be found in the Parasara Sanhita. There can be no doubt, therefore, that in the *Kaliyuga*, the son begotten by a person himself on the widow to whom he is wedded, instead of being called *Paunarbhava*, will be reckoned as the *Aurasa* (son by birth).

It being settled by the arguments above cited, that widow-marriage in the *Kaliyuga* is consonant to the *Sastras*, we should, now, enquire whether in any *Sastras* other than the Parasara Sanhita, there is any prohibition of this marriage in the *Kaliyuga*. For it is argued by many that widow-marriage was in vogue in the former *Yugas* but it has been forbidden in the *Kaliyuga*. It should be remembered, however, that as in the Parasara Sanhita, the *Dharmas* appropriated to the *Kaliyuga* only have been assigned and among those *Dharmas*, widow-marriage has been prescribed in the clearest manner, it can never be admitted that widows have been forbidden to marry in the *Kaliyuga*. Under what authority this prohibitory dogma is maintained, is a secret known only to the prohibitionists. /10/

Some people consider the texts of the Vrihannaradiya and Aditya Puranas, quoted by the Smartta Bhattacharya Raghunandana in his article on marriage, as prohibitory of the marriage of the widows in the *Kaliyuga*. Those texts are therefore cited here with an explanation of their meaning and purport.

Vrihannaradiya Purana

समुद्रयात्रास्वीकारः कमण्डलुविधारणम् ।

द्विजानामसवर्णासु कन्यासूपयमस्तथा ॥

देवरेण सुतोत्पत्तिर्मधुपक पशोर्वधः ।

मांसादनं तथा श्राद्धं वानप्रस्थाश्रमस्तथा ॥

दत्तायाश्चैव कन्यायाः पुनर्दानं वरस्य च ।

दीर्घकालं ब्रह्मचर्यं नरमेधाश्वमेधकौ ॥

महाप्रस्थानगमनं गोमिधश्च तथा मखम् ।

इमान् धर्मान् कलियुगे वर्ज्यानाहुर्मनीषिणः ॥

"Sea voyage ; the carrying of a water pot (by a student in the Vedas) ; the marriage of twice-born men with damsels not of the same class ; procreation on a brother's wife or widow ; the slaughter of cattle in the entertainment of a guest ; the repast on flesh-meat at funeral obsequies ; the entrance into the order of a Vanaprastha (hermit) ; the giving of a damsel to a bridegroom a second time after she has been given to another ; *Brahmacharya* continued for a long time ; the sacrifice of a man, horse, or bull ; walking on a pilgrimage till the pilgrim die ; are the *Dharmas* the observance of which has been forbidden by the *Munis* (sages) in the *Kaliyuga*."

Nowhere in these texts can any passage be found forbidding widow-marriage. Those who try to establish this forbiddance on the strength of the prohibition of "the giving away of a damsel, a second time, to a bridegroom after she has been given to another" have misunderstood the real purport of this passage. In former /11/ times, there prevailed a custom of marrying a damsel who has been betrothed to a suitor, to another bridegroom when found to be endued with superior qualities.

सकृत् प्रदीयते कन्या हरंस्तां चौरदण्डभाक् ।

दत्तामपि हरेत् पूर्वात् श्रेयांश्चैव आब्रजेत् ॥*

"A damsel can be given away but once, and he who takes her back after having given her away incurs the penalty of theft :—but even a damsel given may be taken back from the prior bridegroom that is, she, instead of being married to the former will be bestowed upon the latter, if a worthier suitor offers himself."

The Vrihannaradiya Purana alludes only to the prohibition of the custom, prevailing in the former *Yugas* and sanctioned by the *Sastras*, of marrying a girl betrothed to one person, to a worthier suitor. It is absurd therefore to construe the prohi-

*Yajnavalkya Sanhita. Ch. I.

bition into a forbiddance of widow-marriage in the *Kaliyuga* ; nor is it reasonable to understand this text of the *Vrihan-naradiya Purana*, by a forced construction of it, as prohibitory of such marriage, while the plainest and the most direct injunction for it is to be found in the *Parasara Sanhita*.

Aditya Purana

दीर्घकालं ब्रह्मचर्यं धारणञ्च कमण्डलोः ।
 देवरेण सुतोत्पत्तिर्दत्ता कन्या प्रदीयते ॥
 कन्यानामसवर्णानां विवाहश्च द्विजातिभिः ।
 आततायिद्विजाग्रगणां धर्म्ययुद्धेन हिंसनम् ॥
 वानप्रस्थाश्रमस्यापि प्रवेशो विधिदेशितः ।
 वृत्तस्वाध्यायसापेक्षमधसङ्कोचनं तथा ॥ /12/
 प्रायश्चित्तविधानञ्च विप्राणां मरणान्तिकम् ।
 संसर्गदोषः पापेषु मधुपर्के पशोर्वधः ॥
 दत्तौरसेतरेषान्तु पुत्रत्वेन परियहः ।
 शूद्रेषु दासगोपालकुलमितार्द्धसीरिणाम् ॥
 भोज्यान्नता गृहस्थस्य तीर्थसेवातिदूरतः ।
 ब्राह्मणादिषु शूद्रस्य पक्तादिक्रियापि च ।
 भृग्वग्निपतनञ्चैव वृद्धादिमरणं तथा ॥
 एतानि लोकगुप्त्यर्थं कलेरादौ महात्मभिः ।
 निवर्तितानि कर्माणि व्यवस्थापूर्वकं बुधैः ॥

"Long continued *Brahmacharya* ; carrying a water pot (by a student in the Vedas) ; procreation on a brother's widow or wife ; the gift of a girl already given ; the marriage of the twice-born men with damsels not of the same class ; the killing in a religious warfare of Brahmanas intent upon destruction ; entrance into the order of a *Vanaprastha* (hermit) ; the diminution of the period of *Asoucha* (impurity) in proportion to the purity of character and the extent of erudition in the Vedas ; the rule of expiation for Brahmanas extending to death ; the

sin of holding intercourse with sinners ; the slaughter of cattle in the entertainment of a guest ; the filiation of no other sons but the *Dattaka* (son given) and the *Aurasa* (son by birth) ; the eating of edibles by a *Grihastha* (householder) of the twice-born class, offered to him by a slave, a cowherd, a hereditary friend of the family and a cultivator who takes half the crop for his labor, of the Sudra caste ; the undertaking of a distant pilgrimage ; the cooking of a Brahmana's meat by a Sudra ; falling from a precipice ; entrance into fire ; the wilful dissolution of old and other men—these have been legally abrogated in the beginning of the *Kaliyuga* by the wise and the magnanimous, for the protection of men." /13/

Nowhere also in these texts can any passages be found prohibiting widow-marriage :—that the interdict of the "gift of a girl already given", cannot be construed into such a prohibition, has already been shewn in examining a similar interdictory passage in the *Vrihannaradiya Purana*.

Some people say, that the prohibition of the filiation of sons other than the *Aurasa* (son by birth) and the *Dattaka* (son given) in the *Aditya Purana* leads to the forbiddance of widow-marriage. They argue in the following manner,—“In the former *Yugas* the sons of widows born in wedlock were called *Paunarĥabas*, now, as there is a prohibition to filiate any other sons in the *Kaliyuga* except the *Aurasa* (son by birth) and the *Dattaka* (son given), this prohibition extend to the filiation of the *Paunarĥaba* : the object of marriage, is to have male issue ; but if the filiation of the *Paunarĥaba* begotten on a wedded widow be interdicted, widow-marriage is necessarily interdicted.”—This objection appears, at first sight, rather strong and, in the absence of *Parasara Sanhita*, would have succeeded in establishing the prohibition of widow-marriage. But they, who raise this objection, have not, I believe, seen the *Parasara Sanhita*. It is true, indeed, that in the former *Yugas*, the son of a wedded widow was called *Paunarĥava* ; but from what I have argued above in respect of the application of the term *Paunarĥaba* to a wedded widow's son in the *Kaliyuga*, it has been already decided that

the distinction between a *Paunarbhava* and an *Aurasa* (son by birth), has been done away with. If then the son born of a widow in lawful wedlock, instead of being called a *Paunarbhava*, be reckoned as an *Aurasa* (son by birth) in the *Kaliyuga*, how can the prohibition in the *Kaliyuga* of the filiation of sons other than the *Aurasa* and *Dattaka*, lead to the interdict of widow-marriage in the *Kaliyuga*.

It will now appear from the manner in which I have expounded the spirit of the above quoted texts of the *Vrihanaradiya* and *Aditya Puranas*, that they do not prohibit widow-marriage in the *Kaliyuga*. But if the prohibitionists, not satisfied with the /14/ explanation, contend against the consonancy of this marriage to the *Sastras* by citing the above texts as prohibitory of widow-marriage,—we have then to consider the following question:—Widow-marriage is enforced in the *Parasara Sanhita* but interdicted in the *Vrihannaradiya* and *Aditya Puranas*—which of them is the stronger authority?

That is whether according to the injunction of *Parasara* widow-marriage is to be considered legal or according to the interdict of the *Vrihannaradiya* and *Aditya Puranas*, it is to be held illegal.

To settle this point we should enquire what decision the authors of our *Sastras* have come to in judging of the cogency of two authorities when they differ from each other. The auspicious *Vedavyasa* has, in his own institutes, settled this point.

श्रुतिस्मृतिपुराणानां विरोधो यत्र दृश्यते ।

तत्र श्रुतिं प्रमाणन्तु तयोर्द्वे स्मृतिर्वरा ॥

"Where variance is observed between the *Veda*, the *Smriti* and the *Purana*, there the *Veda* is the supreme authority: when the *Smriti* and the *Purana* contradict each other, the *Smriti* is the superior authority."

That is, when the *Vedas* inculcate one thing, the *Smriti* another and the *Puranas*, a third, what is then to be done? Which *Sastra* is to be followed. Men ought to regard all the three as *Sastras* and if they follow only one of them, they disregard the other two and by a disrespect of the *Sastra*, they incur sin.

The auspicious Vedavyasa therefore has settled the point by declaring that when the Veda, the Smriti and the Purana are at variance with each other, then we should, instead of following the injunctions of the latter two, act up to those of the former ; and in the event of a contradiction between the Smriti and the Purana, we should, instead of following the ordinances of the latter, act up to those of the former.

Mark now, in the first place, that from the above exposition /15/ of the Vrihannaradiya and Aditya Puranas they do, by no means, appear to prohibit widow-marriage. Secondly, if by any forced construction, they can be made to imply such a prohibition, then there arises a palpable contradiction between the Vrihannaradiya and Aditya Puranas, and the Parasara Sanhita. The Parasara Sanhita prescribes, and the Vrihannaradiya and the Aditya Puranas interdict, widow-marriage in the *Kaliyuga*. Parasara Sanhita is one of the Smritis, while the Vrihannaradiya and Aditya Puranas are Puranas. The author of the Puranas himself, ordains that when the Smriti and the Puranas differ from each other, the former is to be followed in preference to the latter ; hence even if the texts of the Vrihannaradiya and Aditya Puranas were made to imply a prohibition of widow-marriage in the *Kaliyuga*, we should, inspite of it, follow the positive injunction for widow-marriage in the Parasara Sanhita.

I am now sufficiently warranted to conclude, that the consonancy of widow-marriage to our *Sastras* has been indisputably settled. A fresh objection however may now arise that though widow-marriage be sanctioned by our *Sastras*, yet being opposed to approved custom, it should not be practised. To answer this objection, it should be enquired in what case is approved custom to be followed as an authority ? The auspicious Vasishtha has settled this point in his institutes.

लोके प्रेत्य वा विहितो धर्मः ।

तदलाभे शिष्टाचारः प्रमाणम् ॥

"Whether in matters connected with this or the next world, in both cases, the *Dharmas* inculcated by the *Sastras* are to be

observed—where there is an omission in the *Sastras*, THERE approved custom is the authority." That is, men should observe those duties which have been inculcated by the *Sastras*; and in cases where the *Sastras* prescribe no rule or make no prohibition but at the same time a practice followed by a succession of virtuous ancestors prevails, then such practice is to be /16/ deemed equal in authority with an ordinance of the *Sastras*. Now as there is in the *Parasara Sanhita* a plain injunction for widow-marriage in the *Kaliyuga*, it is neither reasonable not consonant to the *Sastras* to consider it an illicit act merely because it is opposed to approved usage; for it is ordained by *Vasistha* that approved custom is to be followed only in cases where there is an omission in the *Sastras*. It is therefore indisputably proved that widow-marriage in the *Kaliyuga*, is, in all respects, a proper and an unobjectionable act.

An adequate idea of the intolerable hardships of early widowhood, can be formed by those only whose daughters and sisters have been deprived of their husbands during their infancy. How many hundreds of widows, unable to observe the austerities of a *Brahmacharya* life betake themselves to prostitution and foeticide and thus bring disgrace upon the families of their fathers, mothers and husbands. If widow-marriage be allowed, it will remove the insupportable torments of life-long widowhood, diminish the crimes of prostitution and infanticide and secure all families from disgrace and infamy. As long as this salutary practice will be deferred so long will the crimes of prostitution, adultery, incest and foeticide flow on in an ever increasing current—so long will family stains be multiplied—so long will a widow's agony blaze on in fiercer flames.

In conclusion I humbly beseech the public to attend to these circumstances and after having duly weighed all that have been said respecting the consonancy of widow-marriage to the *Sastras*, to decide whether widow-marriage should or should not prevail? /17/

Reprinted from a booklet entitled *Whether the practice of widow-marriage among Hindus should or should not prevail* (Calcutta, P. S. D'Rozario and Co., 1855)

ANTI-POLYGAMY TRACTS : I

INTRODUCTION

Unanimous as the Bengallee nation has been in its appeal to the legislature for the suppression of Hindoo polygamy, there are numerous sections of our fellow-subjects who are unaffected by that social evil, and to whom it is necessary to justify the origination of a movement that, in its incidental bearings, involves important political considerations. Towards the purpose of that justification, it has been deemed advisable to issue a series of tracts expository of the merits of the appeal, its claims upon the sympathy of the entire body of British subjects in this country and in the United Kingdom, and its perfect accordance with the constitution of the country.

These tracts will contain general observations on the different aspects of the question, authentic cases of suffering caused by the existence, and illustrative of the real nature, of the evil, proceedings of the Legislative Council and other public bodies with reference to the subject, and any other matters calculated to throw light on the character and merits of the movement.

GENERAL OBSERVATIONS

Within the last few weeks, a number of petitions signed by more than fifty thousand men and women, including every name distinguished in the country by fortune, rank, position and intelligence—including those who lead parties and castes—including proprietors and proprietresses of landed estates covering the area of kingdoms,—have been presented to the Legislative Council, earnestly, and some even in terms of burning indignation, praying for the immediate interference of the legislature for the suppression of polygamy among the Hindoo population of British India, and more especially among the Coolin

Brahmins who practise polygamy on the largest scale and in a manner the most offensive to morality and decency. The movement is an unusual one; for although we have been of late accustomed to see efforts made by individuals and parties to obtain reforms in our social system through legislative agency, the unanimity, the character and the influence of those who have joined in this crusade against Hindoo polygamy surpass all precedents and examples of a similar kind in our social history. The movement, therefore, challenges investigation.

And, firstly, what is it that these petitioners want? The following is the petition of the Raja of Burdwan on /1/ the subject, and the other petitions submitted are mostly of the same tenour and purport.

The Petition states,

"2nd. That according to the doctrines of the Hindu Law, every Hindu is required to marry one wife, but is authorized, in the event of certain contingencies, and on certain conditions, to marry a second, third or fourth time.

The contingencies and conditions are specified in the Laws of Menu, whose authority in such matters is paramount, it being expressly declared that the authority of no sage or legislator can be recognized if at variance with his doctrine.

3rd. That it has since become the practice in Bangal to marry several wives without regard to the restrictions imposed by the Hindu Law. The practice obtains specially among the class of Brahmins callad Coolins. Although the sacred writings of the Hindus recognize no distinctions among the Brahmins, or even the class below them in rank, Raja Bullal Sen, a little time before the Mahomedan conquest, established distinctions among the Brahmins and Caysths, by which a portion of them under the name of Coolins were declared to be superior to the rest of their tribes. These distinctions, rendered general, in course of time, among all classes of Hindus by the sanction of example, have been universally adopted in Bengal, and are to the present day scrupulously followed, and to them may be traced those enormous abuses of the Marriage institution which your Memorialist deploras.



4th. That the Coolins among the Brahmins are by those modern innovations of Hinduism prohibited, under pain of degradation, from marrying their daughters to Brahmins of an inferior class. On the other hand, Brahmins of the inferior classes are anxious to marry their daughters to persons of the superior class, and pay large sums of money to secure such /2/ alliances. The evils which result from the prevalence of these notions, which are at once absurd and contrary to the sacred writings, are numerous and flagrant. Those Coolins who cannot get persons of equal caste willing to effect matrimonial alliances with them, not afford the large marriage gratuities which are demanded, are obliged to let their daughters arrive at old age without being married. Inferior Brahmins are unable to get wives from inability to pay those large gratuities, and many of them are forced to sell the whole of their property for the purpose. Coolin Brahmins never marry without receiving large donations, and multiply wives for the sake of obtaining those gratuities, without knowing or caring what becomes of the women to whom they are united by the most solemn rites of the religion. They have been known to marry more than a hundred wives each, and it is customary with them immediately after going through the nuptial ceremonies and receiving their gratuities to leave the houses of the girls they have married, never to see their faces more. Again, the Coolins of some of the Soodra caste enjoy the privilege of disposing of their sons and daughters in marriage for large gratuities. Instances do not unfrequently happen of children only six months old being thus given away.

5th. That the state of a society in which such opinions and practices prevail may be readily imagined ; marriage is a traffic. So far from being entered into as the most solemn transaction of life, calling into exercise the purest affections of the heart and furnishing the readiest sources of domestic comfort and happiness, and to be regarded as an indissoluble engagement except in case of failure of the objects of the institution, Coolins marry solely for money, and with no intention to fulfil any of the duties which marriage involves. The women who are thus nominally married without the hope of ever enjoying the

happiness which marriage is calculated to confer, particularly on them, either pine away for want of objects on which to place the affections which spontaneously arise in the heart, or are betrayed by the violence of their passion and their defective education into immorality. To conceal the effects of their vices, the practice of abortion is extensively resorted to, the inmates of the family being too willing to afford them aid towards removing the infamy which would attach to them, and that even at the hazard of destroying the life of the guilty mother with that of the unborn child of sin and shame. These abortions, though more commonly practised than can be imagined, are carefully concealed by the family even from the knowledge of the neighbours, and if concealment becomes impossible, the neighbours and tenantry are strictly cautioned against divulging them. So strict are the precautions taken, that the Police are quite ignorant of deeds of darkness that are committed around them, and most vigilant Magistrates would be baffled in their attempts to penetrate the veil which covers the atrocities.

6th. That your Memorialist is assured, that every feeling of humanity makes your Honorable Council anxious to suppress evils of such magnitude, and it is therefore incumbent on him to point out the means by which crimes of so deep a dye may be prevented, and the rights of humanity supported. The obvious remedy is to enforce strictly the rules of the Hindu Law on the subject, and in accordance therewith to pass a Law, the provisions of which may appear to your Honorable Council to be calculated to repress the existing evil, as above pointed out.

7th. That the remedy, though obvious and perfectly consistent with the Hindu Law, cannot, in the disorganized state of Hindu society, be applied by the force of public opinion, or any other power, than that derived from the Legislature. /4/

8th. Your Memorialist therefore appeals to the humanity of your Honorable Council to deliver the Hindus of Bengal from the opprobrium which hangs over them, and the females of that community from the ruin and degradation entailed on them by the practice of polygamy and its attendant crimes."

The abstract right of a married woman to the exclusive possession of the affections of her husband—to be his sole mate in life—to be the sole partner of his joys and griefs and of his social position and responsibilities,—is, it will be observed, nowhere insisted upon by these petitioners ; for though a conviction that such a right exists seems to underlie the train of thought manifest throughout these petitions and to influence all their reasonings, it is not openly urged by the petitioners, not do they appear fully conscious of being swayed by such a conviction.

Nor do the petitioners appear to wish for the suppression of polygamy as a practice inconsistent with civilization or repugnant to civilized ideas. The statutory degradation of woman which the permission of polygamy implies does not jar with Asiatic ideas of civilization, and though it is incompatible with certain religious notions prevalent with more or less force amongst Hindoos in general, and which assign to woman a rank prior to that of all others in society, these notions rest on peculiar grounds, detached altogether from the general grounds of our social polity. The body of the petitioners are unimbued with those ideas of woman's status and position which chivalry inculcates, and in the simple fact of a man having more than one wife they see no more of barbarism than /5/ does a Burman in the custom of dining on putrid fish or a savage of New Guinea in the convenience of going naked.

Nor is it exactly a perception of the more remote moral consequences of the prevalence of polygamy, its debasing influence on society, its tendency to corrupt the manners of a nation, to degrade the position and destroy the self-respect of those classes of the community among whom the custom is prevalent, that has moved the country to make this demonstration. Polygamy recommended itself to ancient ages as the means of promoting national greatness by promoting the increase of population, and our countrymen are still guiltless of harbouring Malthusian ideas. They have no great prejudice against polygamy in the abstract ; on the contrary, perhaps, a disposition to tolerate it as an institution having a peculiar utility exists in the mass of the educated classes. We must, there-

fore, look to other causes for an explication of the spontaneous and forcible appeal which the country has made to the legislature for the suppression of this custom.

One cause is patent to observation. Hindoo polygamy, and especially Coolin polygamy, presents an aspect as different from the polygamy of the patriarchal ages, the polygamy of those times and countries which reckoned it a high merit in a citizen to be the father of many children, or the polygamy now prevalent elsewhere in the world, except in the harems of Mahomedan and Caffree princes, as any social abuse can be from any social institution. The fifty thousand and more petiti-/6/ tioners who have so earnestly besought the Indian legislature to make a punishable crime of polygamy have been compelled to do so by the sight and the experience of evils which, from their nature and magnitude, strike the attention of the most careless, affect with pain the moral perceptions of the least sentimental, and rouse the indignation of the most apathetic,—inflict on society hard tangible sufferings from which neither infancy nor youth nor age is exempt,—poison the domestic happiness of innumerable households,—cover with indelible disgrace the fair fame of many of the proudest families in the land,—and spread over the country crime, infamy and pauperism. The evils of Hindoo polygamy, of Coolin polygamy, are gross, palpable, malignant, pervasive, wide in operation, crushingly oppressive and cruel beyond the utmost powers of patience to bear. It is, therefore, that a people conservative beyond all others on the face of the earth, patient to a proverb, and morbidly jealous of governmental action and interference in social matters, have come forward to solicit at the hands of foreigners, although undoubtedly enlightened and well-intentioned foreigners, and though they be the constituted legislators of the land, a relief of which no argument can be found to justify a denial.

The standard of conjugal morality among the Hindoos of Bengal is, we believe, as high as it is among any other nation in the world. The duties of domestic life are discharged with a fidelity almost unexampled in the rest of the world. The



philosophy of Hindoo life is rigorous to the verge of asceticism. Unbounded /7/ polygamy, therefore, forms no part of the normal condition of Hindoo society,—it finds no countenance from the general habits, the prevalent ideas, the fixed institutions of the country. It is an excrescence on the system of which all complain and which, most would think, ought to be got rid of even at the cost of the severest operation.

Hindoo polygamy, moreover, is an evil which can be put down effectually only by legislative interference, and, viewed in this respect, there is no evil in our social system which can be so effectually, so immediately, and with so little disturbance to the rest of the system, destroyed by legislative action. Let the fiat but go forth that no Hindoo man shall outrage duty and morality by taking to wife a second woman while one previously occupying that position in his household lives—let it be made law that bigamy is an offence punishable by the civil magistrate, and the evil will instantly cease. The feelings of the entire nation will be vindicated and the manners and the morals of the entire nation will be relieved of a deep stain, while the interests of none but an infinitesimally small portion of the population will even in appearance be injuriously affected.

If the greatness of a public measure be estimated by the greatness of its results, the suppression of Hindoo polygamy by law will be viewed in the light of one of the greatest measures that British authority guided by British wisdom has ever attempted in India. But unlike other great measures, the suppression of Hindoo polygamy will be attended with no risk, will be felt by not the most insignificant minority in the coun-/8/ try as a hardship, will cause no radical change in the relations or the conduct of social life, and will encounter not the slightest chance of failure.

It should be distinctly borne in mind that the petitioners want nothing more than the revival of the old law of the land—that law which possesses so strong a hold upon the mind and affections of the Hindoo race that its integrity constitutes perhaps the only object for which a Hindoo thinks no sacrifice too great. If there be any to contend that the innovations

upon that law which it is now sought to sweep away from the face of the land ought to be maintained, it would be for him to convince the people of Bengal that all the evils we have endeavoured to pourtray above are blessings, and the greatest of social advantages is the existence of an order of men privileged to disregard all the laws of God and man.

CASES

In the village of— in zillah Hooghly, a Brahmin woman, the widow of a Coolin, had seven daughters. The woman was desirous of giving her eldest daughter in marriage to a *Bungshuch* Brahmin, (one who has forfeited the privileges of a Coolin) of course, for a consideration in money. Such an alliance would have compromised the position of the girl's step-brother, who would thereby have been reduced to the status of the lowest *Bungsuch*. This man, who resided in a different village selected a bridegroom in the person of a Coolin of suitable extraction, and having, with the aid of the leading inhabitants of the village in which his step-mother and sisters lived, introduced him secretly in the night in the house of a neighbour of the Brahmin widow, and concealed him there, made preparations for the marriage of all his step-sisters at once. It was an advanced hour of the night, the mother was fast asleep with the girls; her room was broken into but without noise, the eldest girl was brought out and the marriage ceremony was performed between her and the selected bridegroom; five others were then successively brought out and given to the same man in marriage. These girls were prevented from making a noise or waking their mother by threats and caresses. At last, the youngest child, who was as yet at her mother's breast had to be brought out. This could not be done without awaking the mother. The difficulty was faced. The child was snatched away from her mother who was held in her room by force, and the infant too was sacrificed at the altar of Coolinism. The seven sisters thus become wives to one man did not receive a visit from their husband ever after during the eight

or nine years that the man lived after their marriage. The step-brother to whose interests they had been sacrificed took no care of them, as indeed by the usages of Coolin society he was not bound to do. When they grew up, two or three took service as cooks in wealthy Brahmin families, and the rest remained in the village upon the bounty of their relatives there. Their conduct was correct, the village being inhabited /10/ chiefly by high-caste men and the standard of village opinion being very high ; but they suffered considerable distress from the effects of poverty in addition to that peculiar to the condition of Brahmin widows. Three of the sisters, we believe, are still alive.

The town of — in zillah 24-Pergunnahs contains many Coolin inhabitants who are somewhat better off in circumstances than generality of Coolins. Only a few miles distant from the metropolis, most of the Coolin residents of the town have learnt English and obtained employment in the public and mercantile offices in Calcutta. One of these Coolins had a family consisting of a daughter who was married to a Coolin of the very highest birth. The father made provision for her by purchasing her some bighas of lakhiraj land. For some time after the father's death, things went on well enough with the family. The two eldest brothers had employment in Calcutta, and were obedient to their sister as their elder born. The sister from the rents she received could make frequent presents to her husband, and thus [made] him to see her often. The lands were resumed by the zamindars, the brother's wives gradually gained influence over their husband's minds, and estranged them from their sister, whose domination in the family became specially irksome from the time that the loss of her property made her a burden on her brothers. For a time bickerings went on. At last the sister was subjected to a series of insults from her brothers' wives who were indulged by their husbands in that /11/ course of conduct. Her husband being no longer liberally feed became chary of his visits. The daughters of Coolins (as if to add to the poignancy of their lot) are often sensitive in their temperament to a degree which women of less noble blood do



not display. Exasperated by the insults of her sisters in law and brooding over her husband's hesertion, the woman poisoned herself.

LEGISLATIVE COUNCIL

28th June 1856

PRESENT

The Honorable J. A. Dorin, *Vice President*, in the Chair.
His Excellency, the Commander-in-chief

Hon'ble J. P. Grant,
Hon'ble B. Peacock,
D. Elliot Esquire,

C. Allen Esquire,
E. Currie Esquire, and
Sir Arthur Buller.

The Clerk presented

* * *

A Petition from the Maha Raja of Burdwan against Hindu Polygamy.

The clerk also presented the following Petition, which were to the like effect, namely—

A Petition of the Raja of Nuddea.

A Petition of the Rajah of Dinajpore.

A Petition of inhabitants of Calcutta.

A Petition of Hindu assistants attached to the Calcutta Mint Office.

A Petition of Issur Chunder Biddasagore and others.

A Petition of Inhabitants of Bhowanipore and Alipore.

A Petition of Kasseessur Mitter and other inhabitants of Hooghly. /12/

A Petition of Unnodapersaud Banerjee and other inhabitants of Hooghly.

Two Petitions of Sibnarain Roy and other inhabitants of Hooghly.

A Petition of inhabitants of Kishnaghur.

A Petition of Joykissen Mookerjee and others.

A Petition of inhabitants of Autpore.

A Petition of Sarodapersaud Ray and other inhabitants of Burdwan.



A Petition of Poornochunder Banerjee and other inhabitants of Burdwan.

A Petition of Ramlochun Ghose and other inhabitants of Nuddea.

A Petition of Isser Chunper Ghosaul and Woomes Chunder Roy and other inhabitants of Santipore.

A Petition of Sarodapersaud Mookerjee and other other inhabitants of Nuddea.

Two Petitions of inhabitants of Midnapore.

A Petition of inhabitants of Jessore.

A Petition of inhabitants of Dacca.

A Petition of inhabitants of Moorshedabad.

A Petition of inhabitants of Rajshaye.

A Petition of inhabitants of Bancoorah.

A Petition of inhabitants of Dinajpore.

A Petition of inhabitants of Mymensing.

The *Clerk* also presented a Petition of Obenash Chunder Gangooly and others submitting the Draft of a Bill for celebrating marriage among Hindus.

Mr. Grant moved that these Petitions be printed. He said, they were Petitions of a most important character. It would be observed that the movement was headed by /13/ three of the four chief noblemen in Bengal. He was informed that the Petitions were signed by upwards of ten thousand Hindus, all persons of the most respectable class and, possibly with a few exceptions, belonging to the three highest castes in Bengal.

In making his motion, he might add that, as he was informed, the council might expect still further Petitions signed by large numbers of Hindus in Bengal on the same subject and to the same effect. Those presented to-day, it might be observed, had been received from many different parts of Bengal. In moving that these Petitions be printed, he had only to add that he hoped shortly to be able to introduce a Bill on the subject to which these Petitions related.

The motion was carried.

12th July 1856

President :—The Hon'ble J. A. Dorin, *Vice-President*, in the



Chair ; Sir J. Colvile, the Hon'ble J. P. Grant, the Hon'ble B. Peacock, Mr. Elliot. Mr. Allen, Mr. Currie, and the Hon'ble Sir Arthur Buller.

HINDU POLYGAMY

The Clerk presented two petitions from the inhabitants of Santipore and those near it, praying for the [abolition] of Hindu Poligamy. Also two petitions on the same subject, one from the inhabitants of Calcutta and the other from Sreemutty Rossmoney Dossee.

19th July 1866

PRESENT

The Honorable J. A. Dorin *Vice President*, in the Chair.

The Chief Justice,	C. Allen, Esq.	/14/
Hon. J. P. Grant,	D. Elliott, Esq.,	
Hon. B. Peacock,	E. Currie, Esq., and	
Hon. Sir A. W. Buller.		

The Clerk presented a Petition from Ranees Surnoye Dossee. of Cossim Bazar, praying for the abolition of Hindu Polygamy.

Also a Petition from Hindu inhabitants of Baranagur with the same prayer.

Mr. Grant moved that these Petitions be printed.

Agreed to.

NOTICE TO READERS

The Editor of these tracts begs that he may be furnished with authenticated cases of suffering caused by illustrative of the system of Coolin polygamy. The fullest particulars must be furnished, not necessarily for publication ; and correspondents may rest assured of the utmost attention to their wishes being paid as respects secrecy. /15/



ON THE EDUCATION OF HINDOO FEMALES*

BY KOYLASCHUNDER BOSE

MR. PRESIDENT, LADIES AND GENTLEMEN,

The efforts which have now been making to introduce education among the females of the higher and middle classes of the Hindoos in this country, and the prejudices and opposition with which those efforts must necessarily be hampered, though for a time, are the topics to which I purpose drawing your attention in the course of this address; humbly presuming that the importance of the subject, which cannot be overrated, will be deemed a sufficient apology for my appearance before you this evening, in a position at once responsible and difficult.

Those, who study the signs of the times, and, having regard to the successful spread of education in this country, are hopeful that the Hindoos will, at no distant time, take their rank among the civilized nations of the world, also regret the absence of that element in Hindoo Society—the humanizing influence of woman—which is an essential condition of modern civilization. Here the individuality of woman is utterly disregarded. She is not even treated as a person having thought, affection or will, but as property subject to transfer from one to another as the motives of family aggrandisement may suggest. The degradation of woman is one of the conditions of barbarism, and may invariably be traced in those parts of the world where the light of knowledge and civilization has never travelled. In proportion to the ignorance of man, the position of woman is more or less galling, her rights are more or less recognised. The history of her condition in barbarism is that of slavery, and the

*Delivered on the night of the 14th August 1856 at the Medical College Theatre



/141/ natural weakness of her situation has helped the stronger sex to hold and to propagate the most strange theories as to her individuality and rights. The Chinese and the Mahomedans even go so far as to deny that she has a soul. Among the former her condition seems to touch the extreme that is possible for human nature to endure. She is sold to her future husband, who can strike her with impunity, starve her, sell her, and even let her out for a longer or a shorter period as is done in the province of Yang-tshe-kyang. The practice of obtaining a wife by purchase seems to be common with the Caffres who are said to avoid marrying the women of their own tribe, preferring to purchase them from their neighbours. In the slave market at Constantinople women are brought from Circassia and Georgia to be sold to the highest bidders, and such is said to be the force of custom that the Circassian girls are nothing loath to be thus exported from their mountain homes.

"Six Circassian girls," it is related, "from twelve to fifteen years of age, were found on board a Turkish vessel recently captured by the Russians. They proved to belong to a race with whom Russia was at peace. The Russian general, therefore, ordered them to be informed that the choice was open to them to be sent back to their homes, with the prince of their own race (also one of the captives), or to marry Russians and Cossacks of their free choice, to return with Baron Haxthausen to Germany, where all the women are free; or lastly, to accompany the Turkish Captain who would sell them at Constantinople." They unanimously and without a moment's hesitation exclaimed, "To Constantinople to be sold."

Among the ancient Hebrews, women were bought, and their contract of marriage was usually effected by a deputy on behalf of the bridegroom, and by the father, or male relatives of the bride, who was often sold before being consulted on the subject.

Ahraham sent his servant to procure Rebecca as a wife for Isaac before they had seen each other: and without consulting Rebecca, her father and brother, Bethuel and Laban, agreed to Abraham's proposal. To ratify the contract "the servant brought forth jewels of silver and jewels of gold and raiment,

and not only made presents to Rebecca, but gave also to her brother and mother precious things."

The life of woman, among the Pagan Arabs, was wretchedly debased, and exhibited the worst features of oriental slavery. Since the time /142/ of Mahomet the condition of Mahomedan women has undergone but little change or improvement. Mahomet had to buy his wives, and had to pay for some of them ten dirhems, a handmill, a water-jar and a pillow ; but some cost him as much as five hundred dirhems ; at the present time, a sum equivalent to about £20 is the common dowry among the Arabs of the middle classes for a virgin, and a half, a third or a quarter of that sum for a divorced woman or widow.

But no where is the treatment of women so systematically oppressive and degrading as in this country. Such a sweeping remark may jar on the ears of an enlightened audience like the one I have the honor of this evening addressing, but it will nevertheless be admitted by every candid Hindoo to be a truthful remark. Should there be, however, among us here present a dissentient voice against the truth of what I have advanced, I can only wonder at the boldness with which such a denial may be given. To the educated portion of my countrymen, I will not do the injustice to suppose that they are not really alive to the wretched condition of the women of Bengal, or that they are unwilling to better that condition, but I would emphatically lay at their doors, at our own doors, the charge of faint-heartedness in opposing old prejudices which would seem to retard the progress of society in India more than any other cause. The objections which bigotry and orthodoxy have raised and will ever raise to the educating our females are not in themselves the real obstacles to the progress of Hindoo social reform ;—they are invested with an appearance of formidableness from merely the want in young and educated natives of the moral courage to act in spite of these objections. They can think wisely, they can also talk good sense with their mouths, and in real life they can also hardly fail to perpetrate the very things which they strongly reprobate. Their in-door

and out-door lives are not exact counterparts of each other. A Bengalee at home is quite a different being from what he appears to be when he is in the society of Europeans. But censure is not argument. I shall therefore at once proceed to consider the difficulties which stand in the way of educating our females, and the means by which they may be successfully encountered.

First and foremost among these difficulties are the prejudices felt against the necessity and advantage of female education by those among our countrymen, who, though reckoned among the intelligent /143/ and sensible portion of the Hindoos, have displayed an amount of ignorance and short-sightedness in this respect which can only excite our regret.

It is too often urged that education will have a baneful influence on the minds of our wives, daughters and sisters; that it will induce them to seek an independence which is inconsistent with their state of seclusion, and incompatible with our social laws and regulations; that it will make them less attentive to the discharge of their domestic duties, that it will excite in their minds a vain-glorious hankering after ease and luxury, and end in making them grow rich in sensualism, but poor in honor and virtue.

I cannot say whence the idea, that by being educated our women will at once walk out into the world. The Latin *educare* means to *draw out*; to *lead forth*; but strictly speaking, it means to develop, to train the various faculties to render them capable of acting vigorously and in a manner most conducive to the happiness of their possessors and the human race in general. But while education improves and shapes the intellectual faculties, it leaves the conventionalities of a nation, however opposed to reason and justice, almost in their original integrity. The force of conventionalism is superior to the influences of knowledge and civilization, as can be shewn in the instances of nations who in the height of their civilization have still adhered to the customs and institutions of a darker age. As regards the sacred institution of marriage, it was an established custom of Sparta (the relic of more ancient times) that

the bride should be forcibly seized by her intended husband, being considered as a prize to be gained by courage and address, and was always supposed to be carried off from the paternal roof by force or stratagem. Even when a Roman damsel, on her marriage, went through the solemn ceremony of *conferreatio*, she was taken with seeming violence from the arms of the mother or of the person who had to give her away. Gibbon observes that the story of the marriage of Eudoxia with the Eastern Emperor Arcadius proves that the hymeneal rites of antiquity were still practised without idolatry by the Christians of the East, and that the bride was forcibly conducted from the house of her parents to that of her husband.

The social laws of England, in respect to her women, are much behind the spirit of the age, but the iron pillar of convention-/144/alism has hitherto upheld them unimpaired by the shock of knowledge and civilization. "A married woman in England has no legal existence; her being is absorbed in that of her husband; she has no possessions; her property is the property of her husband; and what above all," as Mrs. Norton says, "an English wife cannot legally claim her own earnings; whether wages for manual labor or payment for intellectual exertion, whether she weed potatoes or keep a school, her salary is the husband's."

Though the women of England are perhaps the best educated of all the women in the world, it would seem that education has not sufficiently strengthened their hands to be able to assert their rights. The seclusion of females is the conventional condition of the Hindoos, and as long as the general sense of the nation will continue to be adverse to their emancipation, they will submit to the will of their natural guardians. Against the adamantine bulwarks of conservatism for how many centuries must justice exert its power without effect? The feelings and prejudices of the Hindoos must be completely revolutionized before an inch will be gained in obtaining for our women the independence which is accorded to their Western sisters.

Hindoo girls may be permitted to attend public schools so long as they are infants, or, when ripened into womanhood, to

receive a finished education at home ; but for them to come out into society, it will be foolish to fear or to expect the consummation of such a result, constituted as Hindoo society at present is, as it will be, on the other hand, equally foolish on the part of any among our orthodox countrymen now to think of debarring our women from the light of knowledge, which has already half struggled its way into their chambers of darkness. Educated, our women will certainly become more amiable and high-principled, more faithful and devoted to our service, but they will by no means rebel against the sense of their rightful guardians.

The assertion of such freedom on the part of the weaker, independent of the sanction of the stronger sex is no where corroborated by history.

"The Greek women were watched and guarded in strong apartments, the rooms occupied by them being for the sake of greater privacy always at the back, and often in the upper part of the house. The restrictions imposed on young women of the middle and higher classes evinced a degree of jealousy befitting the lord of an Asiatic /145/ harem. Harmione is severely reproved by the old woman that waits on her for appearing out of doors, which was a freedom she tells likely to endanger her reputation. And Menander says expressly that the door of the house was the farthest a woman ought to go, and reproves one for exceeding their limits. Even on occasions of great public alarm, *e.g.* when the news of the defeat at Cheronea reached Athens, the women were spoken of as standing at their doors and enquiring the fate of their husbands—a circumstance considered discreditable to them and their city."

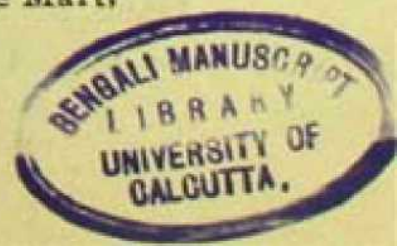
Female independence, among the nations of modern Europe, is not however owing, as is supposed by the objectors to Hindoo female education, to the influence of female enlightenment. The custom of their appearing in public was long anterior to the date at which the cultivation of their minds may be said to have commenced, and is quite independent of the education of which they are now allowed the benefit. It owes its origin to other circumstances, and probably takes its date from the

Institution of Chivalry. "I am not sure" says Hallam, "that we could trace very minutely the condition of women for the period between the subversion of the Roman Empire and the first Crusade, but there was little jealousy shewn in the treatment of the sex, at least in France, the fountain of Chivalry. They were present at Festivals, at Tournaments, and sat promiscuously in the halls of their castle. The Romance of Perceforest (and Romances have always been deemed good witnesses to manners) tells of a feast where eight hundred knights had each of them a lady eating off his plate. For to eat of the same plate was an unusual mark of gallantry and friendship."

The appearance of Hindoo women in public, under the present constitution of Hindoo society, is far from being possible, as not only the old and the orthodox portion of the community, but even the younger members who have received an English education are averse to any such liberty being given to our women. It is not safe to assert that the gradual progress of society under the influence of European example may not at some future day introduce a change in the social laws of our nation, but it is quite certain that the present objectors to the education of our females will be long in their graves before our women will be permitted, if ever, to appear in public by universal suffrage. /146/

The next objection, that education will make our women less fitted for the discharge of their domestic duties, is too contemptible to require refutation. It is more how they will be able to perform those duties well that all plans of female instruction will have for their object. Females are not required to be educated by the standard which is adapted to men. They will not be called upon to perform the responsible duties which naturally devolve on the other sex. They live and move within a limited sphere. The whole range of their duties is indicated by the single word "Household". "Man" says the poet,

"May range the Court, Camp, Church, the Vessel and the Mart,
Sword, gown, gain, glory, offer in exchange
Pride, fame, ambition to fill up the heart." —



Woman has but one resource—Home. The end and aim of her life is to cultivate the domestic affections, to minister to the comfort and happiness of her husband, to look after and tend her children, and exercise her little supervision over domestic economies, and it is too gross to imagine that education will alienate her mind from such interesting occupations,—occupations peculiarly her own.

There have been some theorists who would include genius, taste, learning among the number of female endowments and acquisitions,—some bold assertors of the rights of the weaker sex, who would stigmatize the monopolising injustice of the other, laying claim, on behalf of their clients, to co-ordinate authority in every department of science and erudition, who would contend that the intellectual powers of women are not restricted to the arts of the house-keeper and sempstress. Under the auspices of such well meaning but mistaken advocates has thrived among some of the European nations, a system of female education calculated to divert the minds of their women from their legitimate duties ; errors and vices being the effects of such a deviation from the course dictated by nature.

The following remark by Mr. Durbin, an American, on the position of woman in France, will show how inapplicable to the purposes of female life are the ways and means of education contrived for the formation of the male character.

"The French woman", says he, "is altogether a different being from the dependent, retiring and domestic women of England and America. She is trained by her education and the habits of society to take part in its movements. In our country it is rare to find a woman interested /147/ in politics, acquainted with trade, or even active in religion, beyond its mere devotional exercises. Indeed it is not *lady like* (such is the phrase) to know any thing about these matters. All this is false and foolish enough, and the French woman knows it to be so. But she goes too far on the other side. Not only is she prepared to talk with her husband on the prosperity of his trade, or upon the affairs of the nation, but she aspires even to manage the one and have some hand in the other. She is a

man-of-business or a politician. For ages, the influence of woman has been powerful in the politics of France, but since the Revolution, under the influence of the doctrine of universal equality, with which the mass were indoctrinated, she has influenced society more than ever. Inconsequence of this state of things, she has lost that delicacy of feeling, that shrinking from the public gaze that characterize English and American women. She is not like them, confined in conversation to the narrow range of small talk, but unlike them too she is ready to enter into any conversation. She is less dependent but more masculine. She has more knowledge but less virtue. The result is that in approaching the other sex in influence, she has approached it in vice. She asks of them more respect for her talents ; they grant it, but deduct in proportion from their estimate of her virtue. A less rigid purity is demanded of her than in other lands where she avoids this constant contact with the busy life of men. In England and America licentiousness is tolerated among men only ; the woman whose character is darkened by a single stain, is separated from the virtuous of her sex as a leper ; but in France there is the same or nearly the same toleration for the errors and frailties of the women as for the vices of the stronger sex. Guilt, known, acknowledged guilt, does not expel her from society. Of course the vice loses much of its turpitude in popular estimation, and indeed comes to be regarded almost as no vice at all."

It is not however that there is anything inherent in knowledge or education, which, by being imparted to woman, will make her less virtuous or less domestic, but much depends on the manner in which such education is conducted, and more on the social characteristics of a nation. The amiable, virtuous, domestic and high-principled English woman stands in vigorous contrast with the highly educated French woman, who looks down upon her Island sister as in fetters.

To the objector to Hindoo female education, I can give my most /148/ friendly assurance, that the same education which is now so eagerly sought for, and readily given to their sons, which has produced so many happy changes in the mental character

and moral habits of their boys, cannot be expected to produce in their daughters different results. Honor and virtue will be better promoted among our women than if they were left to the license of their own unbridled passions and whims, and they would become better mothers, better wives, and better house-keepers, than the foolish and the fond parent, the unintellectual and blindly submissive help-meet, and the spend-thrift house-keeper with whom it is the lot of a Bengalee now to be associated.

There are however difficulties of a more serious character by which we are surrounded. The greatest among them is the stolid indifference of the natives to the object; which is a greater hinderance to the cause than if there were an active opposition to it. The importance of the measure is not denied, the objections to it are acknowledged to be capable of being obviated, and yet the hand is not extended to receive the blessed gift. This is owing to the absence of a motive or inducement. The ignorance of females does not stand in the way of a Bengalee's pursuits of business and pleasures, and what does not concern him in either respect cannot be expected to claim his attention. This does not only apply to the old and the orthodox but to those who have received an English education. An educated native can easily put up with an ignorant mother and an ignorant wife, and he does not feel the worse for his social position. For there is a want of, or an actual obstacle to that companionship or free intercourse with the sex, which is the life of English society.

Bengalee women not only do not appear in public, but they cannot even appear before their husbands in the presence of the other inmates of the house without their modesty being severely taxed. The opportunities for interchange of thought and affection are so few that the ignorance of the women is not felt to be a great inconvenience or the source of any great privation. This peculiarity in the Hindoo social system is a great bar to the social elevation of the Hindoo women, as by their relative situations to each other, neither the women are given an opportunity of being awakened to a sense of the degra-



ding position they occupy, nor the men to the necessity and desirableness of bettering that position. As a means to remedy this defect the impulse should be given from without. Educated natives should be allowed to /149/ come in frequent contact with English society that they may be made to feel the want of female companionship, and thereby to fret under the restraints that are imposed on it at home. They should mingle with Europeans more largely and more unrestrainedly than they are allowed to do at present. The Rev. K. M. Banerjea, in his excellent Essay on Native Female Education, has already remarked "That it is much to be regretted that our intelligent countrymen have so little personal experience of the happy results of female education in European society. Although they can comprehend in theory the advantages to be derived from the instruction of their women, and may be fairly charged with coldness of heart and weakness of principle, for hesitating to act upon their convictions ; yet it must be acknowledged in justice to them that their inactivity is neither surprising nor unnatural. They understand speculatively, indeed, that females when educated must become more valuable members of society and better fitted for the discharge of their duties, but they have not as yet practically witnessed those effects. Whatever plans may introduce intelligent Hindoos more extensively into the society of educated ladies, and thereby familiarize their senses with spectacles of female superiority should accordingly be considered as effective instruments for the civilization of the country. When such a large number of Europeans are sojourning in the East, with their ladies, the ocular evidence which is so great a desideratum is perfectly feasible. If every gentleman who has at heart the amelioration of native society, would condescend to allow the intelligent Hindoos of his acquaintance a sight of what female education had done in his own domestic circle, by occasionally introducing them to his family, the happiest results might be achieved. Man has been often styled an imitative creature, that is, he is influenced more by the tangible effects of a beneficial scheme than by all the theories and fairy prospects which his judgment or his imagination can

conceive or fancy. The actual operation and visible consequences of a salutary principle are greater incentives to duty than mere theories, as examples are more efficacious than precepts; and accordingly if our educated countrymen can themselves witness the happy fruits of education among European females their minds will receive an impetus which would lead many to decided and vigorous exertions for the reformation of their domestic lives."

But it is a matter to be regretted that the Europeans in this country /150/ should have almost made it a point to observe an exclusiveness in respect to the educated natives. Instead of inviting them to their society it would seem that care is always taken to keep them out. But in the midst of discouraging manifestations of class feeling and party prejudice it is gratifying to contemplate the enthusiasm and good feeling of some of the European friends of native education who have evinced the greatest desire to bring the two nations in frequent contact with each other. The Bethune Society itself owes its origin to such good feelings, and, if I mistake not, one of its principal objects is to promote intercourse between Europeans and educated natives. It is only to be wished that the Society were countenanced with a more extensive European patronage, which it deserves to receive.

But neither the prejudices of the orthodox Hindoo, nor the apathy of educated young men, stand so much in the way of educating our females, as the difficulty arising from the social economy of the Hindoos. It is the rock on which every scheme of female education, however wisely concocted, is destined to split, if framed without reference to that particular difficulty. With the exception of only a few of the rich natives, who are known by the cognomen of the Zemindars, the majority of the Hindoos, who represent the middle classes of our society, are also the representatives of the higher and the respectable grades of the Hindoo social hierarchy. While the means of the latter class of men, as regards worldly comfort and pecuniary ease, are very circumscribed, the respectability, which attaches to them in consequence of the superiority of the orders to which they



belong, induces in them the necessity for so husbanding their resources as to be able to maintain that respectability by a due regard to the various conditions which have a demand upon the pecuniary means of a native of high caste. The income of this class of men ranges from 50 to Rs. 100 a month for each family ; the head of the family being the person who earns. And where one earns, ten are idle. The earning men are mostly Clerks in the Government Offices and a few that are small traders. The drains upon the income of these men are so heavy that even with his economical habits a native can hardly keep his purse always equal to his expenses. It is not only that he has to feed and clothe other than the immediate members of his own family, which in English phraseology only includes a man's wife and children, but he has to meet several other demands and contingences. A daughter's marriage /151/ costs a native of of the middle ranks of society from 1,500 to 2,000 Rs. A Father's or a Mother's *shrāud* puts him to an expense of nearly the same amount. The interchange of presents between one family and another, which are not to be regarded as voluntary tokens of affection, but as matters of stern social routine and ceremony, being also periodical in their nature, is another source of heavy expenditure. In fact there is hardly any limit to a Bengalee's expenses. Mrs. Chapman, who has written an excellent book on native female education, and who has collected many curious and interesting facts in respect to the Hindoos has remarked "That the industrious Hindoo, who labors diligently, has always a sufficient demand upon his earnings from the aged and infirm, and in too many instances from the idle of his kindred. He must be prepared with his offerings of cloth, of sugar, or some articles of current value, on the days, when the Brahmin attends the family, or his reputation suffers. No sooner is it known that good success has attended his labor than it is suggested to him to make Poojah, or to give a feast, which simple as it is in its nature will disburden him of his ready money." By this means a Hindoo who lives upon his own earnings has very little left in his hands to devote to the education of his children. His sons, whom a sense of duty

as well as a desire for worldly advantage induce him to send to a public school, are educated almost at no cost at all. The children of the extremely indigent classes receive an eleemosynary education at the several schools conducted under Missionary auspices, while the children of those of a little more affluent condition are taught at private schools on the payment of a mere trifle in the shape of a schooling fee. Institutions like the Presidency College are resorted to by the boys of the richer classes or of men placed comparatively in more easy circumstances than those who send their children to Missionary Schools. But the number of those who can avail themselves of the education afforded in the Government Colleges, is so small, that in the absence of the existing Missionary Institutions three-fourths of the number who now receive a good English education would have gone without any education at all, and if education were not so cheap at the Government Colleges as it now is, it would be difficult to calculate the percentage of the present number that would have been able to purchase their education at a higher price, such price, as is paid for their children by the men of the middle classes in England. /152/

The successful spread of education in this country must therefore be attributed to the cheapness with which it is combined.

Having regard to the limited means of the people of this country for the education of their boys, we are not left without an excuse for the neglect of their girls. In order, therefore, to the success of any scheme of female education, the chief concern should be that it does not press too tightly, if at all, the pocket of a native; and no scheme could have better conduced to that end than that on which the late Mr. Bethune had founded his female school. The gratuitous character of that institution carries the element of success in it. There may have been a temporary opposition to it, a certain unwillingness, at the beginning, to forward the views of the founder of the institution, either on account of the novelty of the thing, or of the prejudice felt against some of the native co-adjutors of Mr. Bethune, but it has been since established on a rock destined

to survive all the prejudices and reluctance evinced at the commencement.

The plan of female education best adapted, in this country, to the means and circumstances of the natives is that which would provide for the education of girls at a public school, and for their instruction at home when they are married, and when by the custom of the nation their further attendance at school becomes impossible.

The first of the two objects will best be answered by the institution which we owe to the munificence and philanthropy of the lamented person whose name this society bears, which, from the time of his death until the close of Lord Dalhousie's administration, had been supported at his Lordship's private expense, and of which the future pecuniary maintenance the Hon'ble Court has lately been pleased to take upon itself.

The stability of the institution has thus been permanently secured, and, to add to its advantages, it has come under the favor of the highest personages of the realm. It now remains for the able men into whose hands the management of the institution is entrusted, delicate as the task extremely is, to see that the admission of the pupils is made with a due regard to the prejudices of caste and party-feeling by which the respectable classes of Hindoo society are greatly influenced. One of the causes, if I may be permitted to say, which interfered with the success of the school was a little indiscriminate admission of pupils that was, though unwittingly, permitted at the commencement of the institution. The error was pointed out and corrected, but still it had gone much towards shaking the confi-153/ dence which is due to such an undertaking. If that confidence, however, is restored it should be remembered that the cause cannot but be injured for ever if the error is committed a second time.

With regard to the other object, viz. education at home, I have already hinted at the principal obstacle, viz. the stinted means, for such purpose, of the generality of natives of rank. Those who imagine that Hindoo families will generally avail themselves of the services of European Governesses, at the

expense with which such mode of education is attended, labor under a delusion. A word in regard to the efforts which have now been making in this respect, viz. the Zenana scheme.

It is stated by Mr. Fordyce "that in a very few cases Governesses have been employed for brief periods by native gentlemen, and that the experiment has succeeded admirably for some months. The consent of several highly intelligent Baboos was obtained to admit a governess and pay for her services, and this it is said on the understanding that *she should be free to impart religious instruction.*" !! The names of the Baboos are not given, who have thus nobly dared to advance before their fellows, but they certainly deserve that their names should be published in order to operate as an example to induce others to follow in their wake.

The leading features of the Zenana scheme are stated to be the following.

That a free home should be provided for the governesses in an institution devoted to this cause, that each governess should be accompanied by an assistant, or at least an *Ayah*, in order to sustain the respectability of the scheme. That conveyances and horses must be provided by the friends of the cause. That parents or guardians should pay a sum sufficient to meet the whole or at least the greater part of the current expenses. The rates for tuition are Rs. 16 for those residing in town, and Rs. 25 for those in the suburbs. But it is said that the aim of the founders of the scheme will be to make the salaries vary from Rs. 50 to Rs. 100, according to qualifications and actual work. Those who are thus earnestly laboring in the field deserve that their names should be mentioned with veneration and gratitude ; but it will be as well to point out to them that the costliness of their scheme will at least find for it no practical response. The number of those that can afford to pay for the services of European tutoresses can be but small, and the few that may have the means will lack the inclination and courage to introduce such an innovation, until the system of domestic education comes to be generally adopted /154/ by being brought within the means of the middle and the less wealthy ranks of

our society, who, however, in regard to social matters exercise much greater influence on the upper ranks than are themselves influenced by them. The reason for this can be less explained by the principles of political science than by a direct appeal to the circumstances peculiar to this nation. In other societies a man's importance is in proportion to his wealth and means of worldly independence. In India it is measured by quite a different standard. Here, it is the privilege of caste and birth which gives one superiority over another. The Hindoo millionaire, who has not to boast of a high pedigree, will lick the dust off the foot of a man who in point of pecuniary means is hardly better off than the beggar that stands at the rich man's door,—yet this humble individual dictates social laws for the community,—the fiat of his judgment is the dread of hundreds. It is the middle classes which are composed mostly of men of caste and respectability ; it is they who regulate the marriages and other ceremonial rites of the upper ranks, whose voice is omnipotent in questions of family honor and social rank, and it is, therefore, they with whom must commence any changes and reforms that may be desirable in Hindoo society. If female education is to be at all introduced, it must be introduced in the homes of the less wealthy, but the more numerous, and the more influential classes to whom I have just alluded. A fund therefore should be created for the purpose to which the children of the soil and the paternal Govt. under which they live, will, it is hoped, contribute sums adequate to the vastness of the object. Nothing short of such a scheme will enable those who feel for the daughters of India to give the fullest effect to their noble intentions.

Having disposed of what I considered the *rationale* of the question of Hindoo female education,—having impressed upon you the supreme necessity of actively doing what has been, unfortunately, for years and for years ingloriously speculated upon,—having rung a cord in the sympathies and enlightened feelings of my educated countrymen, which must not cease to vibrate until the full measure of justice, for which this discourse is an earnest and a special appeal, is meted out to the soul-



pinioned inmate of the Hindoo Zenana, the unoffending victim of a ruthless and a godless superstition—the debased menial of a home she should adorn—the martyred suttee of a monstrous jealousy! having unravelled the coil of causes and effects, which /155/ neutralizes philanthropy, obstructs the latitude and the longitude of a generous endeavor to wrench the chains which confine the Hindoo female within an intellectual Black-hole, and calls up the pallor of disappointment upon the ruddy visage of toiling humanity;—having speculated and reasoned, urged and entreated, raised up phantoms of difficulties, and bid them vanish, it is time that I proceed to doctor the disease, which has prostrated us, affected the very vitals of our social constitution—spread a gloom over our domestic landscape—rendered the fairest work of creation a play-thing without a soul—a substance wholly material—a caterer to the brute senses merely;—to mark the remedy for the evil—place in your hands the antidote that shall dislodge the poison—compound the balm that shall heal the lacerated wound. Unite, combine, embody yourselves into a phalanx of strength, even like the sacred phalanx of classic Greece, and, with the fire of chivalry—the zeal of the Crusader—the enduring patience of the martyr at the auto-da-fe—apply yourselves to a cause which, though much more glorious—immeasurably holier far—and a hundred thousand times more calculated to sanctify the blood of martyrdom than the unhorsing of steal-clad knights—the massacre of no end of Saracens, or the maintenance to the death of a dogma in Religion—does not nevertheless require at the hands of its supporters an energy beyond the capacity of ordinary men, a display of courage that is superhuman, or a firmness of purpose that may send its possessor to the guillotine or the stake. We have merely to will that the females of Bengal shall be educated, and we are strong enough in numbers, strong enough in intelligence and strong enough in wealth to render our will omnipotent. A nucleus for every improvement, a rallying point for Indian regeneration may be founded in the association I this evening have the honor of addressing. On the muster roll of our effective strength appear the names of the pick of Bengalee

Society—the best, the wealthiest and the most intelligent of the land. What in others would be mere aimless declamation—a sound and fury converging into *nil*—would, emanating from this assembly, be stamped with the patent of successful action. The Bethune Society constitutes the thinking representative of young India,—it is the embodiment of the civilization of Bengal. Who then so well fitted to lead the nation in matters which shall regulate, for the better, its future destiny? Who so able to silence the outcry of foolish conservatism, demolish the ramparts of a hateful custom, and—knocking off the chains which thwart and throw /156/ back the intellectual growth of the women of Hindoostan—lead them forth into the light of knowledge, bestow upon them a resuscitated existence—cast a spiritual halo over their material radiancy?

The honorable and revered gentleman, whose name sanctifies the association amidst which I now stand, with a zeal as disinterested as it was earnest, did, while living, consecrate his energies, his influence and his fortune to the furtherance of the great cause, in favor of which it is my delightful task this evening, to enlist your sympathies and your support. He, a Briton, casually present in the land, to the murderous climate of which he fell an early victim in the midst of his philanthropic labors, had a heart to feel for the miseries of the unfortunate females of Hindoostan, and eyes to weep for them, and a spirit to attempt their rescue. And shall it be said of us, the natural-born protectors of those females, bound to them by the triple tie of language, country and blood, that we shamefully deserted their cause as soon as that philanthropic Briton was laid in his grave; that, dead to every scintillation of generous feeling, stolid against the influence of a noble example, we not only did not endeavor to encompass the fruition of the humane scheme of female education, which the stern hand of death prevented the late Mr. Bethune from carrying into the fullest effect, but suffered the evanescent fire, which the voice of that single man had called up in the breasts of educated Hindoos, to burn lower, and much lower still, till it burnt out altogether—leaving a mass of black and hideous

looking cinder in the place which should have shone with a mid-day lustre—suffered the noble pile in which its high minded founder had hoped would be reared, in learning and virtue, the future matronhood of Bengal, to become a spectral palace through which the wind howls, but the stately apartments whereof exhibit only a beggarly account of empty forms ?

There has been raised in our country a cry for the re-marriage of Hindoo widows. One persevering man whose genius and patriotism led him headlong in advance of the spirit of the age, with an energy which, alas, is a phenomenon in these provinces, and a research which a burning sun and a perpetual sirocco are hardly calculated to foster, but which disagreeable *contretemps*, with the exceptive cases of only a few fired by a noble enthusiasm and a holy determination, offers serious impediments to the study of musty volumes, the metaphysics of which soars above the common understanding, and whose syntax is by no means of the easiest construction—ransacked the interminable volumes of the Shastras to rear from out its pages a religious bulwark of a /157/ social innovation, which common sense had already declared to be a rational and a necessary innovation—but which an obstinate and malignant conservatism had stamped with the impress of heresy and sin. That religious bulwark was reared on the firm rock of the Hindoo Shastras, and though the virulence of the opposers of the new *Regime*, sought to blast the solid foundation by ignoring facts and distorting grammar, yet the potency of truth rose superior to the flimsy sophistry of invective led on by a hollow logic, and the power of a healthy Government was bent to the support of the righteous cause. But the advocates of widow-marriage, in the very avalanche of their zeal, have over-leaped difficulties and obstacles which threaten to render their generous enthusiasm abortive and ineffectual. They have put the cart before the horse, inverted the legitimate order of things, perpetrated a parachronism—sought to achieve a result without the agency of means. Constituted as is the mind of the Hindoo female,—an island girt round by an ocean of superstition—it is easier to form plans for social boulderse-



ment based on a deceptive estimate of what the Hindoo female ought to be, instead of on a positive certainty of what she actually is, than carry such plans into execution. The Hindoo widow of character, if the option was proposed to her of either taking a second husband unto herself, or of devoting her widowed existence to the service of the gods, would unhesitatingly elect the latter alternative, and spurn back the shewy vision that may be conjured up to entangle her fancy and tempt her from what she considers to be the path of virtue. And is this a paradox? Ask the savage of the Australian desert if he would renounce his nakedness and his wandering freedom for the glorious civilization of his interlocutor—and a flight of arrows or a dexterous throw of his *Bomrang* would probably silence the curious examination. The happy barbarian has been bred up to nakedness, and his feet never made acquaintance with rest. The doctrine proposed to him jars upon his instinct, and he avails himself of the readiest means of closing disagreeable enquiry. But catch hold of the self-same savage of the Australian desert, train him up gradually to the notions of civilized life, put the book of knowledge into his hands, accustom his mind to thoughts of a pure and elevating character, and then subject him to the cross-questioning which years ago was so murderously broken off,—and then mark his reply. The jungles have ceased to interest him, nakedness to his refined eyes has become a hideous enormity, wandering barbarism has been revealed in its true character of a frightful state of existence. His /158/ thoughts have expanded, his passions have been distilled, he has learnt to value a home—he was a beast—he is a man! The Hindoo female is similarly situated. Superstition is her tyrant, Ignorance her jailor! She cannot think but a four-handed monster steps into her imagination, frowns upon her presumption in attempting to think—a curse rises to the lips of the dread vision, and the trembling religious hypochondriac utters a hysteric scream and falls down and worships the god of her superstition! She must be disenthralled from this condition of fearful and abject mental servility before Act 15 of 1856 can open to her widowed



prospect the new leaf in existence which its ardent supporters have toiled to create. She must learn to cast aside the prejudices that have grown with her growth and strengthened with her strength—which she imbibed with her mother's milk—which she imparts with her own milk to the lisping babe at her bosom. She must be refined, re-organized, recast, regenerated before the happy bed of flowers, to which her friends invite her, shall be preferred to the mattress of thorns to which a grim idolatry and a merciless priestcraft point as the widow's couch—the widow's resting place. And now my dear friends, let me ask you how such a radical and constitutional change may be effected in the moral condition of the women of Bengal? Will time, unaided by the efforts of genius, secure the valued result? Will force perpetrate it? Will an earthquake help it forth? Will a hurricane bring it on amidst a hurly-burly of nature? If we trust to the course of time—the chapter of incidents—that trust will have to chum with the Wandering Jew, sharing the curse of the eternal traveller. Brute force has ere now produced martyrs but not proselytes. An earthquake may destroy the evil by engulfing us all, men, women and children, bigots and reformers, radicals and conservatives, in one tremendous tomb. It cannot remedy it. Hurricanes may clear the physical atmosphere, but the moral atmosphere is too ætherial for their savage influence. We must oppose spirit to spirit, and with a determination becoming the noble cause which demands our services and commands our strength, proceed manfully and in seried order to the onset of reason against custom, humanity against a social Blue-beard, true religion against a blasphemous imposture. History tells us of great and mighty revolutions effected by the combination of man. The combined Barons at Runnymede wrested from the affrighted John the Great Charter of English privileges; a much more extensive combination freed Europe from the religious despotism of Rome and the Cardinals; a brilliant combination rescued /159/ France from a licentious Monarchy and a bloated Aristocracy. The American Union—a significant *bon mot* for every thing that is great in liberty or glorious in civilization, is



a tangible illustration of the supremacy of united strength. Europe itself is a combination of varied powers supporting each other to maintain the aggregate whole. And why should India be unfit to act in concert or to act with effect? Has the experiment been tried? Yes, an experiment has been tried, and the assembly which I am now addressing can well answer for itself whether the natives of Bengal are unequal to an effort of united action. The magic of a name has banded together in an association, unprecedented in the literary history of this country, all the available talent of these provinces. Let me repeat what I have already stated that the Bethune Society is the embodiment of the civilization of Bengal, yea and of all India. It is the common focus to which every thing that is great and glorious in the country should converge. It might become the heavenly instrument of a holy revolution. Hitherto we have amused ourselves with concocting essays and unveiling science. But the time is come when action must usurp the place of thought. Literature shall light the way to social improvement; Science arm us with the Archimedian lever that shall overturn the heaped-up abomination which dams our social progress. Let Bethune be the watch-word of our enterprise, the talisman of our success. Here in this hall let us raise up an altar to the genius of Female Emancipation, and bending our knee before the hallowed earth, let us vow solemnly and sincerely to aid to the best of our ability, with funds and with influence, by example and by precept, the glorious cause of female education. This is a practical proposition for the carrying out of a hitherto impracticable object. Let him who shrinks from its adoption, or who sends a hollow vote to its support, tear off the cross of Bethune from his shoulder, abandon the holy crusade to which the desecration of the rights of the Hindoo Female, the infidel and worse than Saracen tyranny of a grim and merciless superstition has called us; ignominiously sneak away from the hall, now the rallying field of brave men and devoted patriots, and with the brand of the deserter upon his forehead retire into a pusillanimous obscurity. Then



let us marshal our forces anew, dress the ranks from which the traitor and the craven have been excluded, and, with a prayer upon our lips, and with determination upon our brows, hasten to deliver the fettered females of Hindoostan from their bonds and their enslavers. / 160 /

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HINDU MARRIAGE CUSTOMS

BY JOY GOBINDO SHOME

I must thank Kumars Nil Krishna and Benoy Krishna for the very kind invitation they gave me to read a paper before this august assembly and that on a subject for which from my avowed religious convictions, my orthodox countrymen would have thought I was ineligible. This misconception has now been happily removed, and you have been kind enough to recognise the fact so well expressed 18 years ago by one of the distinguished leaders of my community, Rev. Lal Behari Day, that "*we are Hindu Christian* ; as thoroughly Hindu as Christian." I look upon this recognition as an honor done not only to myself personally, but also to the community to which I have the honor to belong, and as a sign of better things to come, and I thank you most heartily for it.

This invitation to address you this afternoon was due I suppose to the paper which I had read before the Calcutta Missionary Conference a short time ago and which through the courtesy of Mr. Knight, a true friend of our country, has been placed before the public. When I wrote that paper the Hindu community were not before my /4/ mind, and I had not the slightest idea that it would be ever made public or come to their notice. It was written for the ears of Englishmen and Englishmen alone or rather I should say of Christian Missionaries, a class of men for whom, notwithstanding their occasional shortcomings, I have always entertained, and I am not ashamed to avow it before you, the highest admiration. You may rely upon my word that they always mean well, that they are true friends to our country and that if their ways and means do not always appear to you of the right sort, I would beg of you to ascribe it to their ignorance, over-zeal and shortsighted-

ness, and not to any preconceived ill-will. When these gentlemen, therefore, sought my advice on a question deeply affecting the happiness of my countrymen, I freely and frankly told them what I felt, never thinking for one moment whether what I said were acceptable or unacceptable to you, and this for the obvious reason that you were not before me. All the time I spoke, I felt I was on the witness-box, testifying to what I had seen with my eyes and heard with my ears and regardless of how it might affect my hearers. Now if /5/ this testimony has met with acceptance from most of my educated countrymen, representing all shades of opinion, Brahmos, Christian, and orthodox Hindus, I think I will not be wrong, were I to infer from this singular unanimity, that my testimony is true. But the peculiar position in which I was placed, that of a witness replying only to questions put to me, prevented my saying all that I might or would have said on the subject of our marriage customs generally. This circumstance has necessarily given to my testimony the appearance of onesidedness or incompleteness and some good people have actually mistaken my paper for a discourse on infant-marriage in general, which it was not. I had, in fact, only one question before me, namely, the expediency or otherwise of state-interference in the matter of infant-marriage, and in discussing it, I tried to show that it was not so great an evil as some well-meaning people imagined, or that even if it were such an evil, its seat was in such a delicate part of the social organism, that you could not very well apply to it the surgeon's knife without destroying the organism itself. But I never for one moment contended that our system of marriage *as it obtains now*, was all perfect, that it had no /6/ evils of any kind, or that no dark spots were visible anywhere. Such a statement I did not and could not have made, without being false to myself and unfaithful to my country. In this world no human institution is or can be perfect and the marriage institution, be it oriental or occidental, is not an exception to this rule. Show me the marriage system of which it can be said that it is free from evils. I do not think such a system anywhere exists and therefore we should



be careful that we do not choose a greater, in the place of a lesser evil, that we do not choose King Stork in the place of King Log. While, therefore, I admire and appreciate what is good and noble in the marriage customs of our country, I must tell you frankly, as frankly as I told my English friends, that they as they obtain now, require improvements and reforms in certain directions, for which you need not however go outside your own Shastras.

With these few introductory words, explanatory of my general position, I would now call your attention to the few observations, I wish to make on the marriage customs of our country. As there are other gentlemen, abler and worthier than myself, who would address you this afternoon, I shall try to be as brief as possible. /7/ I do not wish to discuss the advisability or otherwise of seeking legislative interference for reforming our marriage law. I have discussed this question in the paper read before the Missionary Conference, and there is no necessity for taking it up again, especially as there seems to be now a perfect unanimity of opinion amongst ourselves at any rate on this point. It will be enough therefore if I dismissed it with the remark that we do not want the law, which is entirely of exotic growth, a foreign importation—the law by which a decree for the restitution of conjugal rights is now enforced by imprisonment. Such a law is a barbarous institution and the sooner it were erased from our statute-book, the better. If the Government, therefore, wished to repeal the clause in the Code of Civil Procedure by which our Courts are empowered to enforce restitution of conjugal rights by imprisonment, then let it do so. We should have nothing to complain of. We never had such a law, and though it exists now, I am not aware of a single case where it has been actually enforced by the imprisonment of the wife or husband. The very idea of such forced co-habitation as this law necessarily implies, is repugnant to the Hindu mind, and you cannot and ought not to regret the repeal of that which /8/ is naturally odious to you. If the husband will not co-habit with his wife or the wife, with her husband, from want of mutual love and liking, if the one has

contracted a loathing and aversion for the other, rightly or wrongly, no law should compel their co-habitation by the threat of imprisonment. Here, if anywhere, I am a warm advocate of the full and free consent theory in the marital relation, and where this consent is wanting, the duties arising from the relation should not be extorted by brute force. This would be slavery and that of a most revolting type, and it is strange that our English friends who regard with horror a non-consensual marriage, who would term it as shameful prostitution and what not, see nothing to disturb their equanimity when a woman is forced into the embraces of a man whom she loathes by a process of the Court! Such is the power of prejudice.

I now come to the subject proper for this afternoon's discussion—Hindu marriage customs. This is a very wide subject but in taking it up, I do not mean to tell you what these customs are. Many of you must know them more fully and better than myself. An account of them therefore before you is unnecessary and uncalled for. It would be more interesting and profitable if I only took up some of those /9/ points about which there has been a good deal of discussion of late. And the first point that I would take up is the position which consent occupies in the Hindu marriage system.

I think, gentlemen, it is a gross misrepresentation to represent Hindu marriages as non-consensual marriages. I am not aware of any authority in the Hindu Shastras, which allows the marriage of a girl below the age of eight. "Marriage of girls," says Raghunandan, "amongst all classes should take place after their seventh year; otherwise it was irreligious." Eight then is the minimum marriageable age for girls. If however any marriages are solemnised before the girls attain the age of eight, such marriages I hold are opposed to the general practice, to the precept of the Shastras and the spirit of the Hindu marriage ceremony itself. I use the words spirit of the Hindu marriage ceremony advisedly, because in every Hindu marriage as in the Christian marriage the bride and the bridegroom are required to perform certain acts or make certain promises which cannot be done or made on their behalf by their guardians, and

this implies that the parties to the marriage must be of such age as to be capable of understanding the general drift of those acts or promises, though they may fail to realise their full significance. /10/ Now I hold that a girl of 8, that is, above 7 years of age, when she enters into a matrimonial relation, does understand what she is about—she does understand that the boy to whom she is going to be united by the marital rite is to be her husband, that if he died, she would become a widow, that it was her duty to love, obey and honour him and further that the relation into which she was entering was a delicate relation, involving the performance of delicate duties. This is evident from the fact that she does not speak with her husband in the presence of others, and that when she has to appear before him, she does so with her head and face covered by her *Sari*. She is quite free, she feels no restraint when she speaks with her brother or father, but she is coy and reticent with her husband. How can you explain this difference except by the supposition that she understands generally, the nature of the new relation into which she has entered, and the duties arising from it. And why should you think she does not and cannot understand? The framers of the Indian Penal Code,—and they are English legislators, not Hindus, do not think a girl above seven years of age incapable of committing the offences described in that Code /11/ or that it is not possible for her to bring upon herself the punishment prescribed for theft or murder. But if it is possible for a girl to understand all the offences described in the Penal Code, it is surely too much to assert that a girl of 8 cannot give intelligent consent to her marriage. Such an assertion may be made in regard to marriages solemnised between boys and girls of four or five years of age, but such marriages are nowhere sanctioned by your *Shastras*, and the sooner such marriages are stamped out of the country the better—better for your good name and better for the interests of your children whose welfare you so zealously seek in these alliances. It is not possible for you to judge at so tender an age what a boy or girl will prove even under the best influences, when he or she arrived at the age of discretion, and

on this ground alone, though others might be urged with equal force, I would ask you to condemn and discourage such marriages. Happily such marriages are rare in Bengal now-a-days if they have not ceased altogether, but should they exist anywhere, it is high time that they should be put down, not by legislation, not by state discouragements, but by the creation of a strong public opinion on the subject. /12/

But when I say that the Hindu marriages are consensual marriages, because as a rule they do not take place before the girl is eight years old, I am far from saying that consent is essential to their validity or that the girl is capable of making a proper choice of a husband having regard to her future happiness and welfare. Neither at the age of 8 nor at the age of 16, is a girl capable of making such a choice. It is freely conceded by all that in respect of a mere trinket, a girl before the age of 18 in this country, and 21 in England, cannot make a binding contract ; and if this be so in respect of a trinket, is it not absurd to suppose that at the age of 16 or 17, she was able to dispose of her person irrevocably for life. I would, therefore, concede to those who would like to have the concession, that in respect of the Hindu marriages, there was no intelligent consent—a consent based upon mature understanding ; but as you must observe, this concession, does not place Hindu marriages in a worse position than the marriages of all minors, be they Hindus or Christians.

Closely connected with consent, is the question of freedom of choice in marriage. Though there is nothing, as far as I am aware, in the Hindu law itself which deprives any /13/ party to the marriage of free choice, the practice is that the parents or guardians of both parties ordinarily settle everything. The wishes of the boy or young man are sometimes consulted, but those of the girl, rarely if ever. The father of the girl disposes of her in the way he thinks best, and some people are apt to look upon this circumstance with horror. They denounce it as slavery of the woman, equivalent to treating her as goods or chattels. It is asked—what right has the father to deprive a human being of her inalienable right of free choice in one of

the most momentous events of her life ? I confess, gentlemen, I am not much convinced by this argument. There are many things in this world which affect our happiness most vitally, and yet in regard to these we have no free choice. We have no free choice, for instance, in our education, in the thousand and one relations which our birth places us and yet these are circumstances which affect our happiness most vitally. It cannot be said therefore that because a girl is a human being, she ought to have the right to choose her partner in life. It is allowed on all hands that so long as she is a minor, she ought not to act for herself, she ought to have no free choice in any civil transactions of her life, and that for the simple /14/ reason that she is not the best judge in these matters, not competent to decide how these transactions will affect her interests and happiness, in all their consequences, direct and immediate, remote and collateral. And if a minor girl is admittedly incompetent to act for herself in the least important concern of her life, how can she decide what is best for her in a momentous event like marriage—an event which settles her whole future, an event which may contribute to life-long happiness or may consign her to a life full of misery ? Had the main or only object of marriage been the gratification of the carnal desire, to secure, for the time being, what was most pleasing to the eye or other senses, then no doubt, she would have been the best judge ; but that was not the object of the conjugal relation. With the Hindu as with the Christian, marriage was a life-long companionship. In all matters, social and religious, wife was to be the companion of her husband. The very words *Patni*, *Sahadharmini*, by which the wife is called, convey the idea of companionship of the most spiritual kind—the same that I find in my Bible—"heirs together of the grace of life." Now if such be the nature of the conjugal relation, is it possible, is it likely for young /15/ people who have little or no experience of the world, to choose what was best for them ? I should think not. The Hindu law, therefore, very properly leaves this matter so long as the parties are minors, in the hands of their guardians, and the result proves that this rule is good.

The fact that the age of puberty precedes the age of discretion, that the girl becomes marriageable, fit to bear and bring up children before she becomes discreet, is a clear indication of the will of God, that the selection of husband should rest in the hands of her natural guardians, her best friends in this world, who from the natural ties of love and affection, cannot possibly neglect the best interests of their ward. No doubt it does happen sometimes that parents are governed by selfish and sordid considerations, but these are the exceptions, not the rule. Do not young women, in countries where the free choice is allowed, enter into matrimonial relations from the basest of motives, not for the virtues of the gentlemen whom they seek for their life-partners, but for the enjoyment of their riches? These are evils which you will find under every system; they are not to be ascribed to any defects in the systems themselves, but to the fallen human nature. The only way to minimize these /16/ evils would be, not by changing one system for another, but by raising the general tone of society by the cultivation of pure morals and pure religion.

Further, this system of free choice tends to take away, in my humble opinion, something of the modesty and shame-facedness characteristic of the woman and exposes her to evils from which under the present system of guardianship she is quite safe. In countries where this system prevails, she often loses her virtue and still oftener she is disappointed. The Hindu girl knows no disappointment, and her virtue is simply unassailable. With her, first love follows marriage, does not precede it. Her first love is the love of a wife, and she is a stranger to any other kind of love. In the system of free choice, you first love a woman, and then make her your wife. Under the Hindu system you make her first your wife, and then love her. This is surely more natural than the other. In every natural relation, the parental, the filial, the fraternal, our affection is based on the relation itself, and why should any one think that so far as the strongest of our natural affections is concerned, this order should be reversed?

The love or affection which the conjugal relation engenders



is not a fit subject for con-/17/tract and cannot be produced by it. You can neither buy nor sell love. God has in His infinite wisdom so associated this holy sentiment with the conjugal relation, that you cannot possibly realise the one without experiencing the other. Let two persons be united by the sacred tie of marriage, let them but realise that God has from this day forth made them husband and wife, and they will at once experience the emotion peculiar to this sacred relation. Your wife may be a little girl, she may be ugly, or badlooking, but can you refrain from loving her when you know her to be your wife? Suppose you married a woman of your own choice, the prettiest woman in your own eyes, but who immediately after your marriage, by some sad accident, lost all her beauty? Would you from that moment begin to lose your affection for her, or would you not, because of this sad accident, become more attached to her? I think you would. The mother loves her babe, the moment it is ushered into this world, quite irrespective of its natural beauty or deformity, the father loves his son independently of the latter's virtues or failings, so will a husband, love his wife and a wife, her husband, quite irrespective of the personal attractions which he or she might possess. This is /18/ nature, and no argument is required to prove it. Such being the nature of the conjugal relation it is useless to lay much stress upon free choice especially as whatever good there may be in the system, it is more than neutralized by the evils peculiar to it, from which woman is the greatest sufferer.

But after all, is not this free choice, this mutual love and liking theory, something like the dead-sea apple, beautiful to look at but bitter to the taste? Do those who marry from mutual love and liking become in every case happy by securing for themselves the object of their love and liking or are they at least more happy than those who have their parents to choose for them? Let an Englishman give the answer. Rev. Edward Jewitt Robinson, in his book entitled *The Daughters of India* writes: "Young people who do not choose for themselves are in a fair way to be disappointed. Granted. Disappointments there certainly are in India; but disappointments not less

numerous, not less bitter, and with consequences not less serious, are endured by blind lovers in Britain." This picture is by no means over-drawn if not under-drawn. In the face of this impartial testimony, is there any reason why in this matter you should forsake your old paths and /19/ take to new ones of which you have no experience, and which from the little that you see and can imagine, do not inspire you with much confidence? No, gentlemen, no. Such a course is neither wise nor patriotic. Young people would do well to leave these matters in the hands of their parents, and if they did so, their confidence, while it would be a loving and respectful compliment to the authors of their life, will not be abused. Parents may and do often make mistakes, they are fallible like other men, but they are better able to protect the interests and promote the happiness of their children, than the young people could themselves. I would therefore advise the young men not to become impatient of parental authority in this matter and ask them to submit to it implicitly in their own interests, and at the same time, entreat the parents not to exercise their authority harshly nor provoke their children to wrath. The wishes of the young people may be always, as they are often, consulted with advantage to all concerned.

But the most burning question of the day is the age question—the age at which girls ought to be married. I have already told you, gentlemen, that the minimum age fixed by /20/ your Shastras for the marriage of girls is 8. According to a text of Raghunandan, the marriage of a girl not exceeding the age of seven is pronounced *dharma garrhita*, that is, irreligious, and thus eight must be fixed as the minimum marriageable age. But though 8 may be regarded as the minimum, it could never have been the intention of your legislators that as a rule your girls ought to be married at that tender age. A thing may be lawful, but it may not be expedient, and after giving a most careful attention to the whole subject, I am of opinion that as a general rule a girl should be married, as Professor Max Müller says, when she is marriageable. My reasons for this opinion are these : (1) The object of marriage according to your Shastras

is to beget a son for deliverance from a place of torment called *put*, and therefore the religious necessity inculcated in your Shastras cannot arise until the boy can beget and the girl can bear children, that is, in other words, a girl ought to be married just before her puberty commences. (2) In the second place, Manu in the 11 Chapter of Institutes, verse 59, condemns, in the strongest language imaginable, 'carnal commerce' with a *kumāri*, that is, a girl who has attained her 12th year of age. Any man, guilty of such commerce, commits the sin of violating the paternal bed. Hence it follows, according to your own Shastras, that if you marry a girl even in her 12th year, when she is still a *kumāri* and allow her husband to co-habit with her, you make them commit the sin of violating the paternal bed. (3) In the third place, Ashvalayan, one of your leading authorities, goes a step further and lays down the rule, namely : "A man shall not co-habit with his wife before the signs of puberty appear ; if he does so, he becomes degraded and guilty of the offence of killing a Brahmin by reason of the waste of seminal fluid." Now, therefore, it is quite clear from these texts of Manu and Ashvalayan that it is at least inexpedient for a girl to be married long before the age of puberty, or that if married at all, she should not be allowed to live with her husband until what is commonly called her second marriage takes place. Our brethren in the North-West and some other parts of India strictly follow this latter practice and if you could have the same practice introduced here in Bengal, neither your friends nor your enemies could speak reproachfully of your marriage customs. For, certainly, for a girl to become a mother at the age of 11 or 12, though such cases are rare, is an unnatural phenomenon and calls for censure, and you will be doing a service to your country and to the cause of humanity, if you could put a stop to it either by not marrying your daughters below the age of 13, or that if you married them before that age, by not allowing them to live with their husbands till they attained the age of puberty. This is the direction in which social reform is needed, but it is a reform enjoined by your own Shastras, and

though it might be something new to Bengal, the practice I am recommending is in full force in most parts of India. You will, by this needed reform, secure all the advantages of early marriage, and at the same time avoid the evils of what is called infant or child marriage. The marriageable age for girls in this country, that is in India, should be, therefore, according to your own Shastras, between 13 and 16, the age of puberty, with option to marry even a little earlier, in places where custom forbids co-habitation before second marriage.

There is one more remark which I have to make in connection with this point before I am done with it. It is this. Manu enjoins that every girl should be married before her puberty and that her guardian commits a great sin if he did not dispose of her in marriage before /23/ that period, but he also enjoins that it is equally the duty of the guardian to keep her unmarried even till her death rather than give her in marriage to an unworthy person. Now, gentlemen, it is time that our orthodox countrymen should know that a father or guardian commits no sin by the mere reason of keeping a girl unmarried, even after the signs of her puberty appear, when he found no worthy match for her. What Manu condemns is wilful neglect on the part of a father or guardian and not the mere keeping a girl unmarried under any circumstances. Somehow or other however the belief among our orthodox Hindu countrymen is that a girl should be married anyhow—she should be given to a good man if possible, and where such a person cannot be had, she may be given even to an unworthy person. This is contrary to the teaching of Manu, and the sooner it is removed from the minds of our countrymen, the better. Hence you see that even according to your own Shastras a girl need not be married before 13 and that when a worthy person cannot be had, she need not be married at all. Now, if in all your marriages these two rules be observed, then you need fear no invasion from without nor any rebellion from within. In my hum-/24/ble opinion your marriage system will then become as a whole as perfect as any human institution can be. It will not clash with your joint family system nor can it be charged with the evils of precocious development or untimely maturity.

Closely connected with the question of age is the question of so called physical deterioration. It is said that early marriage tells on the physique of a nation, and that we Bengalis have become weak and sickly because of our early marriage system. At one time, I myself held this opinion, but on mature reflection found it was based upon no tangible facts. It is not denied that we Bengalis are a physically weak race, but there is no evidence that we have become weak in consequence of early marriage, nor does there appear any reason why we should become so. The mangoe plant casts forth blossom in its due season, the cow brings forth her first-born in her appointed time ; these do not deteriorate in physique by bringing forth fruits in their due seasons. Is there any *a priori* reason, then, for supposing that the human race will deteriorate, if a woman bore and brought forth her first born child when Nature made her capable to do so. I am not aware, gentlemen, of any /25/ natural law, the natural operation of which if left to itself was necessarily injurious. If such a law exists in the case of child-bearing, let us have the proof of it. But even granting that such a law exists—that the woman who brings forth a child in her 14th or 15th year, herself suffers in physique and the child born of her womb is weak and passes into an untimely grave, are we sure that this is what ought not to be ? Is not the *quid est*, what is, in nature always the *quid oportet*, what ought to be ? Or are we always to avoid what is painful or weakening ? In that case, let us dispense with child-bearing altogether, because of the travail and lying in it, brings on. If God in His infinite wisdom made the mother-crab die in the very act of propagating her species, should we complain and fight against nature, if according to a natural law, the human mother suffered in physique or if some of her offsprings died an untimely death in fulfilling one of the ends for which she was created ? Who can say that in our fallen state this was not necessary for the general good, moral and spiritual, of the whole human race ? But I think, in the present case, it is not necessary to take up such high ground. There is as yet no evidence before us that early marriage weak-/26/ens the physique

of a nation. The cases of a girl becoming a mother at 11 or even at 12, are exceptional cases, they should never be adduced as proof of physical deterioration consequent upon early marriage. You might as well put a mangoe plant in a hot-house and make it bring forth fruit before its appointed time and then point to the smallness of its fruit and its stunted growth as an argument that the mangoe plant should not blossom and bring forth fruit in its due season. It is not fair to take an exceptional case as a typical one and conclude therefrom that early marriage weakens our physique.

But even taking the system of early marriage, with all its present defects, taking it as it now obtains in India, where is the proof of physical deterioration. Early marriage prevails in the Punjab, amongst the Sikhs and Rajputs, in Oude and the North-west Provinces, but who will say that the manly Rajput, the stalwart Sikh, or the stout and strongbuilt Deshwali is weak. Why have not these manly and martial races suffered in physique or degenerated from the prevalence of what is called child-marriage amongst them from time immemorial? According to the last Census Report, the Punjab longevity compares favourably with English longevity. In some districts of Punjab, such as Shahpur, Jhang Guzranwalla, and Jhelum, the proportion of persons aged 60 years and upwards in every 10,000 is greater than in England. According to Mr. Ibbetson the figure for England is 688, whereas for the districts I have named above, the figures are 729, 764, 691 and 690 respectively. The average for the whole Punjab is given at 588, which is more than that of Greece, which is stated to be only 522. In France the average figure is 1148, nearly double the average of England. In this state of things, it is impossible for any one to maintain that early marriage tells upon national longevity. The Highlander is more powerful than the Lowlander, one German is said to be equal to two Frenchmen, but the same system of marriage prevails amongst them. How do you account for these differences? Surely there must be other circumstances to account for them than early or late marriages. If we Bengalis has deteriorated and are deteriorating, we must seek for its



causes elsewhere than in our marriage system. Can you say that the want of physical exercise, the larger use of alcoholic drinks, the frightful increase of immorality, the intro-/28/duction of unwholesome food and drink, the luxurious living and drinking, the ceaseless brain work undergone by our students, have no deleterious effects upon the physique of our nation at large? I do think, gentlemen, these are exercising a very bad influence upon our health and physique. To these I may add also the interdict passed in the Kali Yuga upon intermarriages between members of different castes. This is a very important matter, and I would ask your earnest attention to it. Why should not there be inter-marriages between a Brahmin and a Khetry and why should you not in this matter fall back upon the usages of bygone times? The mixing of blood by intermarriages between one class and another and between Hindus of one part of India and those of another may help to bring about that improved physique which we so sadly want and promote that unity among the different Hindu races which alone will secure for us a high position among the civilized nations of Europe.

I fear I have already taken up too much of your valuable time. I shall, therefore, conclude by offering a few words upon one more point, and that is the Hindu idea of mar-/29/riage. With the Hindus marriage is a sacrament, and in this respect, it agrees with the teaching of the Catholic Church. In my Bible, I read that when God created the first pair, He blessed them and said—Be fruitful and multiply. That is, I hold that for the purposes of procreation God entitled the man with the woman with a blessing. Here was a religious rite, and I rejoice to find that you too regard a religious ceremony necessary to unite a man and a woman in holy wedlock. But this is not all, the pious Hindu regards marriage as a religious duty in order that he may have a son to save him from a place of torment called *put*. To marry or not to marry is not with him a matter of indifference. It is a debt which he owes to his forefathers for offspring. Though I do not hold this belief to be correct, yet I find in it an illustration of the truth found in my Bible that the son of man

came into this world to give a ransom for many. But right or wrong, I maintain that a belief in the religious necessity of marriage is a healthy faith. The Jew based it on the first command issued to the first pair by God himself in Paradise—Be fruitful and multiply, and though the Hindu belief may be based on a different basis, the effect in both cases is the same. The pious Hindu further believes /30/ that God is the author of the marital bond. Even the ignorant Hindu woman believes that it is *Bidhātā* who has united the man with the woman. She does not believe that by *Bidhātā* one man is made a brother, to another or that *Bidhātā* forms the relation between father and son, between mother and daughter. It is only in regard to the conjugal relation she thinks that it is *Bidhātā's bandhani*. This is exactly my belief, based on the words of my divine Master—"What God hath joined together, let no man put asunder." In this respect, my creed is the national Hindu creed, a creed which carries with it at the same time the indissoluble character of marriage. Such a faith is a noble faith and reconciles one to the many sore trials and troubles to which in our married life we are exposed. If you could only believe that God, your Father has placed you in the relation in which you are placed, you would be quite happy and contented whatever may be your lot. You could then say with Job of old, "Though he should slay me, yet will I trust in him." The religious necessary of marriage divests it again of all carnal idea, and hence the most approved form of marriage is the Brahma form, /31/ that in which the bride is a gift of her father to a person who was not an applicant for her. Some people see in this gift something like slavery, but you know it better. The adopted son is a gift of the natural father to the adopting mother, but who ever thought that he thereby become a slave, goods or chattels in the adopting family. The circumstance of his being a gift does not prevent his becoming the head of the new family. I do not understand, therefore, why should some of my Hindu countrymen see something so objectionable in the idea of wife being a gift and be in so much love with the idea that marriage is a contract. Which is better—sale, purchase or gift. To my

humble thinking, we naturally value more those things which come to us by way of gift than those things which come into our possession by contract. If our beloved Empress made a gift to us, say, of a book, would we not prize it more, would we not take more care of it, than if the same book from the same party came to us by purchase, that is, in a commercial way? Most certainly we would. Why should any one think then, that because the bride is a gift, a gift from God through her natural /32/ father, that she is a slave? At any rate, your law-givers never thought of her position to be such in her husband's home. Manu expressly enjoins the husband to honour her, all his relations are commanded to show respect unto her on pain of bringing misfortune upon themselves, and an authority, deemed equivalent to that of Manu, lays down the beautiful rule—"Strike not, *even with a blossom*, a wife guilty of a hundred faults." I ask, gentlemen, is this the position of a slave? It may be that the precepts of the Shastras are often disregarded, but this cannot be ascribed to any defects in the marriage system itself. But there is one blot here in your marriage system which I cannot pass over. It is the way in which some people, although their number is becoming smaller day by day, marry more than one wife. You cannot sufficiently honour your wife if you supersede her by another. If I understand the Hindu law correctly, such supercession is permitted in certain rare cases, but it would be better for the good of the Hindu Society, if second marriages, in the life-time of the first wife, were never allowed. The law in this respect is unequal, and the sooner this inequality is removed the better. I wished to say also a few words on the Hindu widowhood, but I think I have already exceeded /33/ my time. I do not think it was ever the intention of your legislators to effect by force what could not be done by religious persuasion, I should therefore, think that in the event of your widows not being able to live a life of chastity and selfdenial for the good of the community, agreeably to the dictates of their religion, they should be allowed to remarry. It is better that they should remarry than they should become



wanton—better for themselves and better for the interests of society.

I thank you, gentlemen, for the attention with which you have kindly listened to me and I trust you will kindly excuse me if in anything that I have said, I have not come up to your ideal. /34/

RUKHMABAI AND RAMABAI

BY F. MAX MÜLLER

TO THE EDITOR OF THE TIMES

Sir,—I have not troubled you again about the case of Rukhmabai* *versus* Dadaji. When I first ventured to call your attention to what seemed to me an iniquity, rendered doubly iniquitous by the interference of the English law, I must confess that I knew one side of the case only. An Indian lady having been betrothed as a child, refused, when she came to years of discretion, to marry the boy who had been chosen for her. There upon the young man, or his relatives, brought an action for what they called, in English legal language, restitution of conjugal rights, a phrase utterly unknown in Hindoo law, and quite inapplicable in cases where no real marriage has as yet taken place. The English Judge, Mr. Justice Pinhey, declined to interfere. An appeal, however, was made, and another English Judge ordered Rukhmabai to join her intended husband, or go to gaol for six months.

These facts seemed to be uncontested. Like thousands, like millions, of young girls in India, Rukhmabai would, without any demur, have become the wife of her intended husband had she not, after her betrothal, enjoyed the advantages of a liberal education and become imbued with new ideas of the dignity of womanhood and the sanctity of a woman's love, not unknown, indeed, in the ancient literature of India, but well-nigh extinct /530/ in modern times. Her boy-husband had in the meantime not risen to a higher level. Whether he was objectionable in other respects also is not a question of great relevancy.

*As Ramabai writes her own name and that of Rukhmabai without an h (bai, not bhai), I follow her example. I believe that Rukhma is really a modern corruption of Rukmini, a name well known in Sanskrit poetry.

Rukhmabai thought she was the best judge of that herself, and claimed the right of choosing her own partner for life, untrammelled by any contract which had been made for her by others, and at a time when she herself was legally incapable of making any binding engagement.

After a time, however, the *altera pars* made itself heard in India, and, before joining any active movement in support of Rukhmabai's case, I thought it right to wait and to hear what could be said on the other side. It was averred that Rukhmabai herself would not have been averse to the marriage had she not been persuaded by her mother to act as she did. Her mother had married a second time. Rukhmabai would, therefore, have brought a considerable dowry to her husband, and Dadaji's friends and relations assert that it was in order to prevent this transfer of paternal property that Rukhmabai's relatives exerted pressure on her, and drove her into her contumacious conduct.

If this had been so, it would not, indeed, have affected the general question of how the miserable lot of child-wives and child-widows in India can be ameliorated, but it would have made it inexpedient to take Rukhmabai's case as one by which the general question should be judged or decided. I have, however, satisfied myself now that, though Mr. Dadaji may not be the mere clod or the hopeless invalid he was represented to be, there can be no doubt that Rukhmabai herself does not wish to become his wife. I know this from an intimate friend of hers, Ramabai, whose name is well known in India and in England. Here is an extract from a letter which Rukhmabai wrote to her friend Ramabai, who is now studying in Philadelphia. About its genuineness there can be no doubt.

"The learned and civilised Judges of the full bench are determined to enforce, in this enlightened age, the inhuman laws enacted in barbarous times four thousand years ago. They have not only commanded me to go and live with the man, but have also obliged me to pay the costs of the dispute. Just think of this extraordinary decision ! Are we not living under the impartial British Government, which boasts of giving equal

justice to all, and are we not ruled by the Queen-Empress Victoria, herself a woman ? My dear friend, I shall have been cast into the State prison when this letter reaches you ; this is because I do not and cannot obey the order of Mr. Justice Farren. There is no hope for women in India, whether they /531/ be under Hindoo or British rule ; some are of opinion that my case, so cruelly decided, may bring about a better condition for women by turning public opinion in their favour, but I fear it will be otherwise. The hard-hearted mothers-in-law will now be greatly strengthened, and will induce their sons, who have for some reason or other been slow to enforce the conjugal rights, to sue their wives in British Courts, since they are now fully assured that under no circumstances can the British Government act adversely to the Hindoo law."

A woman who can write thus in confidence to a friend is not a mere puppet, moved by her relatives to repudiate a husband in order to save her fortune. The case is clear enough, and similar cases will occur, if not at first very frequently, at all events frequently enough to require some legal remedy. As soon as education begins to spread among women in India, as soon as their intercourse with Englishwoman and their study of English poetry give them an idea of what a woman was meant to be, they will rather die than submit any longer to the moral slavery to which custom has reduced them.

Ramabai, in her letter to me, written in excellent Sanskrit, and in a book which she has just published in equally excellent English at Philadelphia (*The High-Caste Hindu Woman*, by Ramabai), speaks of several cases as bad as, if not worse than, Rukhmabai's case. She says :

"A near relative of mine had been given in her childhood in marriage to a boy whose parents agreed to let him stay and be educated with her in her own home. No sooner, however, had the marriage ceremony been concluded than they forgot their agreement ; the boy was taken to the home of his parents, where he remained to grow up to be a worthless dunce, his wife, through the kindness and advanced views of her father, developed into a bright young woman and well accomplished. Thirteen years

later the young man came to claim his wife, but the parents had no heart to send their darling daughter with a beggar, who possessed neither the power nor the sense to make an honest living, and was unable to support and protect his wife. The wife, too, had no wish to go with him, since he was a stranger to her ; under the circumstances she could neither love nor respect him. A number of orthodox people in the community who saw no reason why a wife should not follow her husband, even though he be a worthless man, collected funds to enable him to sue her and her parents in the British Court of Justice. The case was examined with due ceremony, and the verdict was given in the man's favour, according to Hindoo law. The wife was doomed to go with him. Fortunately she was soon released /532/ from this sorrowful world by cholera. Whatever may be said of the epidemics that yearly assail our country, they are not unwelcome among the unfortunate women who are thus persecuted by social, religious, and State laws. Many women put an end to their earthly sufferings by committing suicide. Suits at law between husband and wife are remarkable for their rarity in the British Courts in India, owing to the ever submissive conduct of women who suffer silently, knowing that the Gods and justice always favour the men."

It should be clearly understood that, whereas formerly the condition of a woman who declined to fulfil the marriage contract made for her by her relations when she was a mere child was miserable enough, it has been rendered far more miserable by the English law. Formerly a woman who committed this so-called breach of contract was under the ban of society. She was *patita*, fallen, but she was not exposed to violence, and the idea of sending her to prison, like a common criminal, never entered the mind of native law-givers. Some native lawyers have, indeed, denied this, as if ashamed that the law of Manu should be more humane than English law. But they have clearly misunderstood the passage to which they appeal. Manu (IX., 83) says that "a wife who, on being superseded by another wife, departs in anger from her husband's house must either be instantly restrained, or cast off in the presence of her family."

But this, first of all, refers to a woman who has actually been married ; secondly, whatever native and European scholars may say to the contrary, it does not mean, that she is to be thrown into prison, but that she is to be kept back in her own house till her anger has cooled ; or, if that is in vain, that she is then to be left with own relations.

No Indian lawyer ever thought of forcing a woman to marry against her will by the threat of imprisonment, and this anomaly and aggravation caused by a mixture of Indian and English law has only to be pointed out to be removed from the Indian Code.

So far Rukhmabai's case will have done good ; but even after that much remains to be done, not indeed by Government, but by private enterprise. It is chiefly due to English education that the lot of women in India has become intolerable to many of them. It is therefore the duty of English philanthropists to try to mitigate the misery of those who are bearing the brunt of the battle between effete Indian, or rather Mahomedan, custom and European enlightenment.

There were, according to the censns of 1881, no less than 20,930,626 widows in India. Out of that number 78,976 were /533/ under nine years of age, 207,388 were under 14 years of age, 382,736 were under 19 years of age.

We can hardly realise the idea of a widow under nine years of age, still less can we realise the life of misery that is implied in that name. That poor creature, the child-widow, is the combined result of native superstition and Mahomedan licentiousness. In ancient times it was considered the duty of the father to see his daughter married as soon as she was marriageable. To make quite sure of a husband, a father would often marry his daughter when she was a mere child. He had then done his duty. The child was brought up at home or in her future husband's house, and when the time came, the betrothed children became husband and wife. This system acted fairly well so long as women knew of no other. Parents were careful in the selection of husbands for their daughters and of wives for their sons, and women were taught to accept a husband as they accepted a father.

But when during the present generation European education found an entrance into some of the better families in India, it could not be otherwise but that some of the young women who had read Shakespeare, Scott, and Tennyson, should revolt against being treated as mere articles of barter. They would become the wives of their betrothed husbands if they could respect and love them ; if not, they would choose for themselves, or rather remain unmarried. This is Rukhmabai's case, and it will be the case of more and more Indian women in years to come. To treat such cases as breaches of contract is absurd ; to send such women to gaol is revolting.

But while cases like that of Rukhmabai are as yet few only, there is a much larger class of women in India appealing even more strongly to our sympathy. Unfortunately it was not always easy for fathers to find boys as proper husbands for their daughters. The daughter of a Brahman could be married to a Brahman only, and there were numerous restrictions as to consanguinity. Hence, if no proper husband could be found, any husband was taken as long as he was of the right caste. Mere girls were affianced to husbands old enough to be their fathers and grandfathers. At last it became a regular trade for certain Brahmans to marry as many as fifty or even a hundred little girls, some of whom they would never see again, but all of whom would become child-widows as soon as their reputed husband died.

This may help to explain the appalling number of widows and child-widows in India. But now let us hear what is the life of a widow in India. It is true they can no longer be /534/ burnt, but it is equally true that many of them would gladly prefer the funeral pile to the hell on earth to which they now find themselves consigned. I quote the words of Ramabai, herself a widow, a lady who has tasted well-nigh every bitterness that human life can present to a woman's lips, but who is as courageous as ever, and determined, so long as her frail body can hold her strong soul, to fight the battle of her sisters against native intolerance and English indifference. She says :

"Throughout India widowhood is regarded as the punishment for horrible crimes committed by the woman in her former existence. . . . If the widow be a mother of sons she is not usually a pitiable object, although she is certainly looked upon as a sinner. The widow-mother of girls is treated indifferently, and sometimes with special hatred. But it is the child-widow upon whom in an especial manner falls the abuse and hatred of the community as the greatest criminal upon whom Heaven's judgment has been pronounced. A Hindoo woman thinks it worse than death to lose her beautiful hair. Among the Brahmans of the Deccan the heads of all widows must be shaved regularly every fortnight. Girls of fourteen and fifteen, who hardly know the reason why they are so cruelly deprived of everything they like, are often seen wearing sad countenances, their eyes swollen from shedding tears. They are glad to find a dark corner where they may hide their faces. The widow must wear a single coarse garment. She must eat only one meal during the twenty-four hours of a day. She must never take part in family feasts. A man or woman thinks it unlucky to behold a widow's face before seeing any other object in the morning. The relations and neighbours of the young widow's husband are always ready to call her bad names. There is scarcely a day of her life on which she is not cursed by these people as the cause of their beloved friend's death. In addition to all this, the young widow is always looked upon with suspicion, for fear she may some time bring disgrace upon the family by committing some improper act. She is closely confined to the house, forbidden even to associate with her female friends. . . . Her life, then, destitute as it is of the least literary knowledge, void of all hope, empty of every pleasure and social advantage, becomes intolerable, a curse to herself and to society at large."

Need we wonder that these young widows try to escape from their prison home? But what can they do? The only alternative before them is either to commit suicide or, worse still, accept a life of infamy.

This is, indeed, the sad end of many a woman's life in

India. /535/ After the few years of a joyous infancy follows the sudden darkness of child-widowhood, of a woman's despair or disgrace. No one who knows anything of India can seriously suggest that the English Government ought to interfere and try to change the marriage laws and marriage customs of its Indian and Mahomedan subjects. That cannot be thought of for a moment, and would probably do far more harm than good. Yet something has to be done to remedy the mischief which is really due to the recent contact between Oriental and European society.

First of all, marriage contracts between infants, if contracts they can be called, should be left, as heretofore, to be enforced by the pressure of native public opinion, but in no case should the English law and the English police lend any help for the restitution of so-called conjugal rights. In the present state of public opinion in England and in India that matter may be taken as settled.

But there is a second question which concerns the people of England, and particularly the women of England, though not the Government. Can nothing be done to alleviate the miserable lot of those poor child-widows under nine years of age? If they are outcasts in their own families, if many of them are almost inevitably driven to a life of infamy, could not an experiment be made to found a home and a school for these waifs and strays of womankind, where a chance might be given them of preparing themselves for a happy and a useful life? The women of England and India have lately placed an offering of £70,000 at the feet of the Queen-Empress, and suggestions have been invited as to the best bestowal of that sum. Is it too late to suggest that a portion of it might devoted to the foundation of a home for child-widows in India? I do not mean to say that such a step would be universally popular. There are few things which are right and just and at the same time universally popular. But it would rejoice the hearts of many who care for the future welfare of India, and an institution started under such auspices would give to Indian princes and noblemen anxious to prove their loyalty to England as well as to their own

country, a welcome opportunity of showing that they are really in earnest in wishing to raise their countrymen and countrywomen to a higher level of civilisation. A small beginning might be made in one town, say Calcutta or Bombay; and if successful there, the movement would spread to other towns. Ramabai, I feel sure, would fly back to India if she could help to rescue but one poor child-widow. The future regeneration of India depends on the regeneration of the women of India. These homes and schools for child-widows would in /536/ time turn out lovely brides, educated wives, self-dependent mothers. No mail passes without bringing me letters full of urgent appeals, as if I could be of any use. Pandit Narayan Keshava Vaidya, to quote but one, writes to me on May 20th :

"The question arises, what is the practical method, leaving legislation aside, of making widow marriages a popular institution among the people of India? How can these helpless, innocent women be liberated from the debasing bondage they are in? Aye, how can they be emancipated from slavery? The philanthropic exertions of Wilberforce, Clarkson, Brougham, and Derby have been the means of freeing the slaves of Africa and America, after spending enormous sums of money. Those of Howard tended to cleanse our gaols from all that was abominable. Lord William Bentinck extirpated the horrid practice of suttee. Jonathan Duncan, Colonels Walker, Lang, Jacob, put a stop to female infanticide in the North-Western Provinces, the Native States of Kutch, Kattiawar, and other parts of the Bombay Presidency. But nobody has espoused with might and main, save a few Englishmen, the cause of the Hindoo child-widow."

A home and school for child-widows under nine years of age would require about £5,000 for a bulding, and an endowment fund of £15,000. Let some of those who in June watched the bright faces of thousands of little girls enjoying their tea and cake in Hyde Park, and shouting "God save the Queen," try to realise that there are in India at the present moment more than half a million of such girls who are called widows, who are not allowed to marry, who are treated like lepers, who goaded into



suicide or infamy, who have no idea what happiness in life means, and I do not despair that some hearts will be moved, and that the Jubilee of Queen Victoria will mark a new era of happiness both for the women and for the men of India, a real step in advance in the true welfare and prosperity of a country whose own law-giver, Manu, said : "Where women are honoured, there the Gods are pleased." /537/

F. M. M.

Kenbank, Dalry, Aug. 16th.

CASTE DIVISION

BY SIVANATH SASTRI

HOW did the custom of caste distinction arise? From what sources shall I collect the evidences of its origin? Such books as exist, in which the causes of past events may be traced, cannot be received as histories—they have been vitiated by poets' fables. What is the remedy? On reflection, it will be obvious that if we can obtain the literature, poetry, plays and religious books of a nation or race, and can in any way determine the period of those works, we can in great measure discover the social history of that race. Think a little! If in the Vedas, for instance, we meet with a passage to the following effect: "Oh, Indra! come speedily to thy worshippers; as the merchant who hath sent ships upon the ocean awaits anxiously their return, so we long earnestly for thy coming,"—should we not infer that when that invocation was uttered ships were certainly trafficking upon the waters? In like manner, that we may determine the origin of caste, we must, with the ancient Shastras, ascertain the facts of history.

Of all books, the earliest were the Vedas, and oldest amongst them was the Rig Veda, concerning which a few words must be said. The Rig Veda is a collection of *mantras* (prayers, invocations). They are, like sacred songs, composed at different periods. /19/ From the language in which they are written, the matter of which they treat, and the pictures they give of society, it is evident they were composed in different ages—the greater part of them before the invention of letters and the art of writing. Thus these *mantras* were composed, taught and dispersed orally. People constantly heard them spoken by one and another, but never saw them written. therefore they are called *srutis*—that which can only be heard. Later, when letters were invented, these *mantras* were collected from time

to time by some learned man, from memory and the mouths of others and distributed according to their subjects into books, sections and paragraphs. These learned men were called *Veda Vyasa*—arrangers of the Vedas.

In reading any *sukta*, or psalm, of the Rig Veda, the name of some deity, some rishi, or some Veda will be found at the beginning. The meaning of this is, that when arranging the work the compiler prefixed to each section the name of the rishi to whom he had heard it attributed. By way of illustration, remember how many hundreds of popular songs are daily heard from wandering mendicants; some by Ram Prasad, some by Dewanji, some by Sri Dhar, and by many another poet. For many a day we have heard these songs, and some of them we have sung, but we never saw them written in a book. Now if anyone should design to collect these songs, what must he do? He must take ten from one wanderer, four from another, and so on. Also, when collecting them, he must learn at what periods, during the three or four centuries that have elapsed from Vidyapati's age to the present, the songs were composed, and must enquire from the singer what composer's name is attached to each. Precisely in this manner have the *mantras* of the Vedas been collected and arranged. The object in saying so much on this point is to keep constantly in your memory that the Vedic *mantras* were not all composed at one time, but some of them a thousand years later than others.

From these Vedic *mantras* much can be known of the social conditions of primitive India, and by careful study of them learned men have ascertained much as to the real nature of primitive Indian Society. In reading them we learn that the Aryans mentioned in the Vedas—

1. Built fine large cities.
2. Fashioned gold and silver ornaments.
3. Wore steel armour to protect the body in battle.
4. Used the bow and arrow and other weapons in warfare.
5. Made and used hunting weapons.
6. Used different kinds of carriages.
7. Used medicine in the cure of disease.

8. Determined time by fine astronomical calculations.

9. Built rest houses for travellers.

We learn further from these *mantras* that—

10. Daughters inherited the possessions of their fathers.

11. That women were not confined to the zenana, but went about openly.

There is also evidence that this civilized society was guilty of great vices ; prostitution and the secret birth of bastard children are mentioned.

Now you may ask, "If the Rig Veda tells these things concerning ancient society, does it also say how the custom of caste distinction arose ?" The answer is that, except in one place, no mention is made in the Rig Veda of Brahman, Kshetriya, Vaisya, or Sudra.

The section in which a slight history of the origin of caste is to be found is called *Purusha Sukta*. Therein it is related that the Immortals had offered as a victim in the sacrifice a great being (a mystical conception of humanity) from which all things were produced. After relating the formation of many things, it ends thus : "That from this burnt sacrifice all the Vedas were produced, the Vedas and the Yajur Vedas : from it horses, all animals with two rows of teeth, cows, sheep, goats, et cetera, were produced . . . From its head the Brahman, from its two arms the Kshetriya, forms were made ; the Vaisyas, whom thou seest, from the thighs, and the Sudra from its feet."

The most ordinary students of Sanscrit will perceive that the above extract from the Rig Veda is written in modern Sanscrit. The other *mantras* of the Rig Veda are not in modern Sanscrit ; even with the aid of commentators it is often difficult to understand them. Their grammar and their metre differ ; and the greater number of words have become obsolete. How comes it about that the fragment extracted from the *Purusha Sukta* is in intelligible modern Sanscrit ? One must infer that this *mantra* was composed long after the rest. Professor Max Müller, and other European scholars devoted to the study of the Vedas, have also shown this to be a very much later composition, imbedded in the Rig Veda.

Another piece of evidence will be found by the reader of Sanscrit in this *Purusha Sukta*. Therein it is said that from the sacrifice offered by the Immortals the Rig Veda and the Sham Veda were produced. Is it not clear from this that the fragment must have been written after the Vedic *mantras* had been collected and classified into Rig, Sham, Yajur, and the rest? Also it is plain that this *Sukta* was composed before Manu's and the other /21/ *Smritis* were composed, and before the Mahabharat took its present form; because in the books of Manu, and in the Mahabharat, this *Sukta* is mentioned, and this narrative of the origin of caste is echoed. Vishnu is to be worshipped according to the rules contained in the *Purusha Sukta*. Manu thus relates the origin of caste :

"God, for man's understanding, revealed his head, arms, thighs and feet as Brahmans, Kshetriyas, Vaisyas and Sudras."

In the Mahabharat also this story of caste creation is echoed as follows :

"Pururva enquired, 'How were the Brahmans produced? How were the other castes created? and how did the Brahmans become superior to all the rest? Relate all this to me.' Natari-shna replied, 'The Brahman' was created from Brahma's head, the Kshetriya from his arms, the Vaisya from his thighs, and for the service of the other three classes, the fourth class, the Sudra, was created from his feet.' "

All these sentences are reproduced from the above-mentioned *Purusha Sukta*, but, as has been said already, the fragment is more modern than all other *mantras* of the Rig Veda. From this we may infer that if the custom of caste division had prevailed in primitive times in Aryan society, it would certainly have found mention of some kind in the ancient *mantras*. Is it to be supposed that, amid all the rites and customs of primitive Aryan society to be found in these *mantras*—the mode in which the priests were accustomed to perform sacrifices; that in which astronomers observed the stars; how they determined time; how the husbandman carried on husbandry; how the housewives ground the corn; how merchants engaged in commerce—where social customs such as these are to be found,

is it likely that a fact so fundamental as that of caste distinction would fail to be reflected? Accordingly learned men conclude that the present custom of caste came into existence long after the entry of the Aryan race upon the soil of India.

And that caste did not exist in primitive times we find the clearest proof in the Shastras, for in the *Santi Parva* of the Mahabharat it is written: "There was no division of caste; Brahma created but one Brahman in the world at the beginning, but afterwards, from divisions of labour, divisions of caste ensued." Hereby it is shown that the present distinctions of caste arose from difference of occupation. An attentive study of the whole of the Rig Veda establishes the same thing. Throughout the *mantras* of the Rig Veda two classes are spoken of, the Arya and the Dasyu. The Rishi who composed the *mantras* prayed earnestly: "Oh, Indra! be the helper of thy /22/ white friends, and annihilate the black-skinned." As an attribute of praise, Indra is addressed as one with the beautiful nose, and when describing the Dasyus, "noseless," "goat-nosed," "raw flesh eaters," and other contemptuous epithets are used.

By these successive proofs, do we not arrive at the conclusion that when these Vedic *mantras* were composed, Indian society consisted of two classes of men, one having a white skin and well-formed nose, eating cooked flesh—the other with black skin, goat-nose, and eating raw flesh? The first class distinguished themselves as Aryans, and described the others as Dasyu or Das. It is also demonstrated that between these two classes there was constant dissension; otherwise, why these constant appeals to the gods for the destruction of the Dasyus? And not only that. The Rig Veda *mantras* show that a portion of the Dasyus took refuge in the hills and in the recesses of the forest. In one place the utterer of the *mantra* exclaims, "Throw down the Dasyus from the tops of the great hills," which shows that the Dasyus dwelt in the mountains.

Now, please to pay attention. You see that there was conflict between the two sections of Indian society. They could not be people of one race, because there was so marked a difference in colour and form. You will ask who they were? After

much research, scholars have determined that the forefathers of the white race dwelt in one of the cold provinces of Central Asia, and that at sometime, and for some cause unmentioned in the history of mankind, they forsook their own country, and formed a colony on the shores of the land formed by the Seven Rivers, the country of India's famous Rishis. The events relating to the immigration of the Aryans are hidden in the darkness of ignorance. It is from the most ancient *mantras* of the Rig Veda that we learn the fact that they dwelt in that place. Thus, as by studying existing society we can discern the signs of the development of ancient society, so by studying the history of modern races we can see what must have been that of ancient races.

In observing the history of other races of the world, what do we see occur when a more civilised race takes up its abode amidst one less civilised? We observe that conflict arises between the newly-come foe and the first possessors of the land, and that in this conflict the latter being defeated, a portion of them submit to a condition of subjection, and the rest, esteeming independence more precious than ease, preferring the free life of the forest to the yoke of the oppressor, take refuge in the mountains and preserve their independence. When the Saxons planted colonies in Britain, what occurred? Everyone is acquainted with the contest that ensued between them and the /23/ first inhabitants. Being defeated in the struggle, a portion of the primitive race submitted to the yoke of slavery, and became thralls in the houses of their conquerors. The rest took refuge in the inaccessible mountains of Scotland and Wales. The same thing occurred in ancient Greece. When the Lacedaemonians established colonies in Sparta, part of the original dwellers became helots, or slaves; the rest took refuge in the neighbouring hills and forests.

Glance also at that most highly civilised country, America, where it is not four centuries since the white-skinned Europeans established colonies. What is the condition of the original inhabitants? Those among them who valued peace as the chief good, acknowledging subjection to their conquerors, were

assigned villages amongst them, and those who prized their independence took refuge in secluded valleys and upon the heights of the inaccessible Andes. Thus it happened in India. When the Aryans established themselves in the Land of the Seven Rivers, a frightful conflict arose between them and the original inhabitants. In that battle they were the conquerors, and their sovereignty became established. A portion of the original inhabitants submitted; the rest, withdrawing to the hills and forests, began to wage an endless war upon their oppressors. The first were called *Das* (slaves), latter *Dasyu* (foes), but both were of the same race. They were the future Sudras.

You now see how the Sudra caste was formed. In ancient times it was the custom everywhere that the captured or defeated in battle were taken under the protection of the conqueror, and reckoned as purchased slaves. After that, to treat them like animals seemed wrong to no one. Their owners trafficked in them as with their herds. No one felt the least compassion towards them. Far more cruel was the treatment of those captives who were inferior in point of civilisation.

Thus, in ancient Rome, of the uncivilised tribes brought in captive year by year, the well-to-do Romans used to buy men and women in the market, and appoint them to the lowest offices in their households. Sometimes also, to make sport for the populace, these unfortunate slaves were thrown to the lions, tigers, and other rapacious animals. And if in this bloody struggle they were defeated, the assembled multitude clapped their hands for joy. Such was anciently the custom towards conquered peoples.

In India it was not otherwise. Those among the first inhabitants who submitted to the yoke of the Aryans, being quickly cheated of all social rights, fell into a condition of abject slavery. And their countrymen who sought refuge in the hills soon began to make raids upon the Aryans. This is no new /24/ thing in history. Remember the attacks of the Indians upon the colonists in America.

You can now realise the condition of Aryan society in those

times. Here you see tall, fair complexioned, high-nosed foreigners establishing a colony on the banks of the Seven Rivers, and by strength of arm making the defeated country their own; building villages therein; collecting material for husbandry and commerce; destroying the forests, and spreading cultivation; converting the wild lands on their borders into hunting grounds; setting up their altars and performing the *homa* sacrifice. There you see the conquered people flying to the hills, and from thence making raids upon their oppressors. These uncivilised people do all in their power to annoy the Aryans who despise them, calling them "raw flesh eaters;" so in malice they throw raw flesh and other offensive matter upon the altars, and, suddenly emerging from their forests, carry off any women they may meet in the roads. The stories you have heard from old books and from the Puranas, of the outrages committed by the Rakshasas upon the Rishis prove this.

When the outrages of the Dasyus became constant, and because of them the Aryans could not enjoy in peace the fruit of their labours, it became necessary for the latter to do something for self-preservation. Selecting from their number strong-bodied men, courageous and skilled in war, they established them on the borders of their villages and inhabited places. These, being armed, dwelt in large numbers at the posts assigned to them. Gradually they became known as Kshetriyas. The word Kshetriya means one who protects from decay. To the narrated events this meaning has a surprising similitude. These Kshetriyas, in the beginning, formed a part of the undivided Aryan community, when there were no such distinctions as Brahman, Kshetriya, &c. All these distinctions arose from differences of occupation. That formerly there was but one caste, and that the others sprang from it, one proof has been already given from the Mahabharat. Here is another from the Brihat Aranyaka Upanishad: "Formerly there was only the Brahman caste; alone that caste could not increase, therefore that superior caste (the Brahman) produced the Kshetriya."

Those at all acquainted with the Vedas or *Smritis* know that the word *Brahma* is often used with the meaning Brahman.

In this place it is so. The Upanishad is a very ancient book. In this country it is honoured as a part of the Veda, therefore the evidence I am giving from it of the origin of caste division is of the same value as though from the Vedas.

You now see how the two castes of Sudra and Kshetriya were formed from the materials of ancient Indian society. You may [25] ask how the remaining Aryans were occupied. To a portion of them a very arduous work was assigned. You will remember that when the ancient *mantras* of the Vedas were composed, the art of writing was not in use, therefore all these *mantras* had to be preserved orally. The worship of fire, and the *homa* sacrifice, were in use among Aryans before they came to India. These rites are mentioned in the old religious books of the modern Parsis. Scholars are agreed that the forefathers of the modern Hindus and the modern Parsis dwelt together before they came to India. Consequently fire worship was the religious observance of those times. However that may be, fire worship, and the *mantras* appertaining thereto, existed from the earliest times.

When the Aryans entered the land of India, girt with lofty mountains, washed by mighty rivers, and abounding in corn-fields, the enchanting beauty of their surroundings developed a marvellous spirit of poetry in their hearts. When at dawn they saw the blue sky lit up with the tremulous rays of the newly risen sun; when, after the scorching heat of summer, they beheld the blue cloud-wreaths of the rainy season; when they saw the floods springing forth with a rushing sound from the mountains; then waves of thought, before unknown, arose in the ocean of their hearts, and *mantra* after *mantra* was poured forth. The Rig Veda is composed entirely of waves of poetic song. How beautiful are the songs found therein! How marvellous the grasp of Nature's beauty! What a natural picture of the enchanted soul of man! The poets who composed these *mantras* found an unequalled music in the croaking of the frogs in the rainy season. Describe these Vedic *mantras* as the song of the poet, the music of the free-throated bird, the thronging thoughts of the enchanted heart of man, and you

describe them truly ; but if you depict them as religious or moral instruction, or a body of social laws, you fail to render their real character.

When the Aryans set about their religious rites in the beautiful Indian forests, the number of their *mantras* increased daily. Letters did not exist, so all these *mantras* were learned and preserved by one class of people. From childhood they learned to recite them ; at the altars the *homa* sacrifice was performed to the accompaniment of these *mantras*. In the present day you see many sons of Brahman Pandits in the villages who are wholly uneducated, and know not a word of Sanscrit ; yet they have preserved minutely, and can recite, all the duties imposed upon householders. Ask them how the *Pitri shrāddha* should be performed, and they will recite without pause all the *mantras* connected with it. They will begin to repeat the Madhuvata Kritayata, &c. Correctly or not, as they learned it, they will utter it all. As there is to be seen in modern Hindu society a /26/ class of men appointed to assist in performing the religious rites of householders, so in ancient society a class was appointed to preserve and teach all the Vedic *mantras*. These were known formerly as Brahman. The meaning of Brahman is one who knows or holds Brahma. In ancient Sanscrit the word Brahma has many meanings : 1. God, 2. The Brahma Caste. 3. The Vedic *mantras*. Here it has the last of these meanings. He who holds the Vedic *mantras* is a Brahman. Manu said : "Having proceeded from the head of Brahma, from priority of birth, and also as the depository of the Vedas, the Brahman is justly entitled to be lord of the earth."

Thus, when one portion of primitive Aryan society was appointed to protect the rest, and another to teach and preserve the Vedic *mantras*, the remainder—by far the larger number—was devoted to the pursuit of agriculture, commerce and the accumulation of wealth. In the Vedas they are called "vish" or people. Hence Vishampati means Raja, "the lord of the people." /27/

Thus you see by what indisputable causes ancient Indian

society became formed into four sections. At first, when different departments of labour, the present signs of caste distinction did not appear. That is to say, the three principal signs of caste difference now visible—1. Prohibition against eating with a lower caste. 2. Prohibition of marriage between different castes. 3. The allotment of particular occupations to particular castes—were not to be observed in primitive society. They are the fruits of violent friction and hostility; and must be regarded as the usual course of social relations evolved during many ages.

On the contrary, we meet with numerous passages in the old writings from which it is evident that the hard and fast rule which determines caste by birth and not by merit did not formerly exist. Instances are not rare of a man of higher caste being degraded to a lower one, or of an inferior being raised to a superior caste, by virtue of his deeds. I give some examples from the Shastras.

You will keep one thing in mind—that the customs prevalent in civilised society of the present day were not known amongst the primitive Aryans. For instance, there are now schools to which you and I, according to our means, can send children where from every quarter a thousand boys and girls can daily assemble for study; but in ancient society there were no day schools. Then the student lived in the family of the teachers, who subjected him to the strictest discipline. The preceptor received no pay; on the contrary, he maintained the pupils, who dwelt with him and performed menial service. Above all, there were no village schools in those early times. As there were no printing presses, it was only with the utmost labour and difficulty that the pupils carried on their studies; consequently the number of learned men was not great. Every such man becoming famous as one learned in the Shastras, attracted pupils from a great distance, who came and abode with him.

In such a condition of things, it was natural that whoever possessed any learning should, from his youth up, impart it to the children of his own family. By whatever means man acquires fame or glory, the wish arises to preserve those means /69/ for

his own descendants. Accordingly, in this country, all learning, all professions, became hereditary. Here the logician's son is a logician; the lawyer's son is a lawyer; the dewan and the doctor follow their father's profession. Whatever accomplishment yielded profit to man, he reserved for his children.

Remembering this, you will understand how the present custom of caste division arose. The armed men appointed to protect the country imparted to their own families alone the skill and science they obtained in battle; and those who preserved and taught the Vedas confined this teaching to their own relations; those skilled in agriculture and commerce taught them to their own sons only. The point to be enforced is that all kinds of learning became hereditary. Whatsoever forms part and parcel of family prestige people carefully reserve to their own kindred, and it becomes very difficult for outsiders to obtain a share of it. You see daily so many proofs of this, that there is no need to dwell upon it further.

When the custodians of the Vedas began to assume to themselves glory and importance, and the warriors to boast of their prowess, envy and jealousy began to arise; and in course of time the present rigid rule was established. We must cite some examples of the Kshetriya having become a Brahman, and of the two classes having eaten together and intermarried. I can give many proofs from the Shastras that these things constantly happened:

1. It is well known to you that the Kshetriya-descended Viswamitra became a Brahman by virtue of his own asceticism, and there are many such cases to be found in the Shastras.

2. "From Manu's son, Karusha, sprang the Karusha sect. They were Kshetriyas; protectors of boundaries; religious and devoted to virtue." (*Sree Madhavagavata, 1st Skanda, 2nd chapter.*)

3. Again: "Prishada Raja having slain a cow, was degraded into a Sudra. (*Harivansa, chap. 1.*)

4. Again: "The sons Nabhag and Arishta—these two being Vaisyas—attained to Brahmanhood."

Thus we find that, before caste division took its present form,

members of one caste were received into another. Intermarriage and the mingling of castes in eating are not forbidden. Manu's Code has this law as to suitable marriages :

"A Sudra can only marry the daughter of a Sudra. A Vaisya may marry the daughter of a Vaisya. A Kshetriya may marry a Kshetriya's daughter, and a Vaisya the daughter of a Sudra. A Brahman may marry a daughter of any of the four castes."

Marriage of a man of superior with a woman of inferior caste was held to be natural ; but that of a woman of superior /70/ with a man of inferior caste, unnatural. Unnatural marriages were absolutely forbidden ; but for natural marriages Manu left regulations.

As we find evidence of intermarriage in the Shastras, so also we find evidence of two castes eating together. In what is called the *Dharma Shashtra of the Parasar Smriti Kali* it is written : "In the houses of all Kshetrias and Vaisyas, who are virtuous and pure, Brahmans may always eat the sacrificial food."

The stern rules of caste have been long in taking form. But for incessant quarrelling and jealousies, these prohibitions as to intermarriage and eating together could not have arisen. What do we see in the society of to-day ? When there is enmity between two heads of families, they refuse to eat together. To exchange hospitalities requires great amiability ; and where this does not exist—where there is neither affection nor friendship—these rites are not exchanged. You will also observe that when there is contention between two villages, marriages are not effected.

In ancient times, from similar causes, different castes ceased to eat together or to intermarry. I will mention one or two instances from the sacred books. You know the discord that arose between Viswamitra and Vasishta. The former, desiring to become a Brahman, practised great austerities ; and on this account endured much persecution from Vasishta and other Rishis. Here you see a Kshetriya seeking to become a Brahman.

Again : in Parasu Rama's story we see the son of a Brahman pour a libation to his ancestors 21 times with the blood of a

Kshetriya. In the stories of Vayna, Nahusa, and Nimi also, frightful discord is depicted between Brahmans and Kshetriyas ; and there are many other such narratives. In the Brihadaranyaka Upanishad we find the composer admitting the pre-eminence of both castes, and endeavouring to arrange a peace between them, as thus :

"Hence there is no caste superior to the Kshetriya. In the Rajasuya sacrifice the Brahman is subject to the Kshetriya, who bears the glory therein. Nevertheless, as the Kshetriya springs from the Brahman, the former can never rise above the latter. If a Kshetriya injures a Brahman, he injures him he sprang from, which is sinful." To which the conclusion is : "Do not you two clans quarrel ; for the Brahman has his superiority, and the Kshetriya his—each his own kind."

From which it may be inferred that, after many centuries of discord, it was at length agreed that the Kshetriyas should protect the country and rule the kingdom ; that the Brahman should perform sacrifice and devote himself to learning ; and /71/ that neither should strive for the other's possessions. From such discord resulted the custom of not eating together.

By this compact ancient Aryan society was rendered peaceful, it is true ; but the Brahman glory and power increased daily. That spiritual power which rules society rested in their hands. The ruler of the kingdom was Kshetriya, but the minister was Brahman. The judge was Kshetriya, but his counsellor was Brahman. The Kshetriya was the protector, but his preceptor was Brahman. The Kshetriya was the arm, but the head was Brahman : the head is superior to the arm ; so the power of the Brahman, being unrestrained, constantly increased.

And as the power and glory of the Brahman increased in ancient Aryan society, that of the other castes diminished in the like proportion. The kings began to govern in name only, while the Brahmans were their guides. The Vaisyas sank yet lower. The condition of the Sudra need hardly be mentioned. Being cheated of all social powers and rights, they held life on the lowest conditions—those of the animal. There was no limit to their social wretchedness. How shall I depict it ? The period

in which the Institutes of Manu were compiled may be regarded as that in which the caste system attained its utmost severity, therefore I shall quote from the Institutes some passages showing to what depths of degradation Aryan society consigned the Sudra :

"The Sudra who shall with any member of his body strike the person of one of superior caste shall, by the law of Manu, have that member cut off."

Again : "If the Sudra should raise his hand to strike one of superior caste, his hand shall be cut off ; if in anger he shall strike with his foot, it shall be cut off."

"If a Sudra desires to sit on the same seat with one of superior caste, he shall be branded in the loins and expelled the country."

How fearful ! for merely *wishing* to share the seat of a superior he shall be banished ! for merely approaching a superior, how heavy was the Sudra's punishment ! Now, see how low was his condition as to all other social rights.

Among the possessions dear to man, the absence of which makes life a burthen and a delusion, independence in labour is the dearest. That is to say, whatever occupation is pleasant to me, whatever suits my taste and promises success, is the one I wish to undertake. I would bring to my home food earned by my own labour. The food thus obtained I would enjoy with my household. Alas ! many poor men have this desire ; we all have human bodies and souls, and can judge by our own feelings. Does not the heart of man desire to follow his own tastes, and /72/ pursue his labour in tranquillity ? But glance at ancient Aryan society, and what do we see ? Manu says : "The Sudra, whether purchased or unpurchased, shall be seized by the Brahman and appointed to his service, because God created the Sudra to be the slave of the Brahman."

Again : "Even if the lord set his slave free, the Sudra cannot be released from slavery ; for that is the condition of his race, who can lighten it ?"

But the Brahman was not content with imposing this heavy burthen of servitude upon the Sudra. The right to accumulate

wealth is another possession prized by man ; but of this also the Sudra was deprived. Hear what Manu says : "If a Sudra amass any wealth, the Brahman shall unshrinkingly seize the whole of it ; for the Sudra has no right to wealth ; whatever he accumulates belongs to his lord." Again : "If the Sudra be skilful, still he shall not lay by riches ; for if a Sudra have riches, the Brahman will be annoyed." What more would the reader hear ? Lest the Brahman's glory should be diminished by the Sudra's riches, lest from his freedom his lord should sustain loss, even the accomplished slave must not retain wealth. He could not labour at will nor rest at will ; he could not exercise independent judgment ; what he earned by the sweat of his brow he might not possess ; lest the lordship of the Brahman should be diminished, the Sudra must have no possessions. What a fearful law ! Yet, wait ; this is not all. If the framers of the Shastras had been content to rest there, that would have been something ; but they were not.

Religion is a possession pertaining to man only. If in religion it had been admitted that the Sudra had his share, that would have been something ; if the framers of the Shastras had not treated men as brutes that would have been something ; but, with a mind full of indignation, with a heart full of sorrow, with head bowed in shame, I have to say that the Brahmans were not satisfied with depriving the Sudra of all civil rights ; but, in order to reduce him to the condition of the brute, to deprive him of every right of manhood, he denied him the possession of religion. Hear what Manu says : "Acts that are sinful to a Brahman are not so to a Sudra, and he requires no purification ; for the rights of religion are not his, and consequently he does not suffer from the loss of them." How fearful ! What we call evil the animals commit, and in them it is not evil, because they are not subject to the law of right ; in like manner, if the Sudra does evil, it is not sin in him, because he is not subject to the laws of morality.

Oh, God ! can man be so cruel to his fellow ? Oh, you young men who idolise the Shastras, quoting them at every step, see /73/ how hard your Shastras are ! Is this religion ?

this virtue ? If this be morality, what is immorality ? Is it virtuous to command that men should be treated as animals ? If there be any where a hell, throw this part of the Shastras into it. Burn it to ashes, and throw them into the waters of the Karamnasa*.

I constantly thank God from my heart that day of the Brahman's glory is diminished. The time has arrived when the Sudra may raise his head. Had the power of the Shashtra framers remained intact, what salvation had been possible ? Where would have been the present heads of Bengal society ? Where would have been the honoured Kristodas Pal,† whose remains were this evening given to the flames ? On this day of the death of Kristodas Pal, consider, youths of Bengal, sincerely and with truth-loving hearts, whether this relaxing of the severity of caste rules has benefitted or injured your country. Do you wish to check this and re-establish the old rules ? have you the power to do it ? can you turn back the tide of change ? If you can do this, you can also lift a mountain with your little finger.

* *Karamnasa*.—The accursed stream of Hindu mythology, rising on the eastern ridge of the Kaimur Hills, Shahabad District, Bengal . . . This river is held in the utmost abhorrence by Hindus, and no person of any caste will drink or even touch its waters, except those permanently residing on its banks, who freely use the water, and are said to be exempt from the consequences of its impurity. The legendary reason of its impurity is said to be that a Brahman, having been murdered by Raja Trisanka, of the solar line, a saint purified him of his sin by collecting water from all the streams in the world, and washing him in their waters, which were collected in the spring from which the Karamnasa now issues . . . The true reason of the evil reputation of the Karamnasa is, that at one time it formed the boundary between the ancient Aryan colonies of the north and the still unsubdued aboriginal tribes of the east. Brahmans, or other Aryan castes, who crossed the Karamnasa in that early period, passed into regions destitute of 'religious merit.'—*Vide Imperial Gazetteer of India*, vol. vii. pp. 464, 465.

†Babu Kristodas Pal died July 24th, 1884. A thoughtful study of his life and work, by his countryman, N. N. Ghose, Esq., Barrister-at-Law, Calcutta, appeared in 1887, and was noticed in *this Magazine* in November of that year.

No, no ; you cannot. Not one man only. A hundred thousand men would be powerless to oppose the expanding force of civilisation. Do you not see that God's law has proclaimed the deliverance of all dependent, captive, or enslaved peoples ? Who can oppose this law ? Behold ! the death of caste restriction approaches. It has even been said that to attack caste now, is like wounding a corpse. Believe me, its last hours are drawing near ; there is no medicine that can revive it.

Ask yourselves if you would restore the ancient condition of /74/ things. I am certain you do not desire it. For, was it ever heard of in the Shastras that the lower castes gave to the upper caste instruction in morality ? Manu said : "If a low-caste man shall attempt to instruct a superior in virtue, boiling *ghi* shall be poured down his throat."

But low-caste men have taught the Brahmans. How many Brahman youths have received moral instruction from low-caste men your memories will tell you. Therefore you say caste no longer exists ; you do not respect it.

Something must be said as to how this weakening of caste has come about. From the extracts I have given from Manu's *Smritis*, it will be perceived that social outrage had reached its utmost limit. Students of history know that when social oppression becomes unendurable, when the lives of men and women are ground down beneath its heavy yoke, out of the disease itself a remedy appears. A spirit of revenge arises in outraged human nature, and a frightful revolution occurs. At these times, it is to be observed that a man of unparalleled courage appears on the scene. He sees the tears shed in secret by thousands. The fire of anger smouldering in a thousand hearts bursts into flame in his. The impulses awakening in a thousand hearts take form in his. He, becoming surety and mouthpiece for the persecuted, downtrodden, suffering race, makes the world tremble with his lion-roarings. Undaunted by the assembled forces of the world, he raises the conquering standard of Truth and Justice, and, with firm hand grasping the foot of Oppression's throne, rolls it on the earth and crushes

it to atoms. Such men are the heroes of the human race. Thus, in Europe, Martin Luther arose to protect the people from Papal oppression.

Glancing at the French Revolution, what do we see occur when the oppression of the rich had become unendurable? On the one part, the starving, helpless people wandering in search of a mouthful of bread; on the other, the rich luxurating in their palaces. The populace, like starving dogs, wandering from door to door, and dying like grasshoppers by the roadside; the rich, scarcely even glancing at their wretched condition, driving them with contempt from their doors. When this merciless tyranny, this grievous destitution, this social outrage, became unendurable, then sky and earth were shaken by the voice of God proclaiming: "Arise, raise the Standard of Revolt." What! do I call that bloody revolution the command of God? Yes; with spiritual insight I perceive that God has appointed the punishment of the oppressor to proceed from the oppression of which he has been guilty. I mourn for the excesses of the oppressed; for the cruelties they inflicted on the /75/ innocent; for the crimes they committed; for their brutalities; for the rivers of blood that they shed. I feel shame for the weakness of human nature; but in all that bloodshed, that cruelty and sin, I find God's punishment of the oppressor.

Thus, in ancient Aryan society, when all the helpless unprotected classes trembled under the power of the Brahman; when even kingly power became but a name; when in spiritual bondage the manhood of the people became almost extinct; when they had sunk nearly to the level of the brute, then God said, "Arise!" and Prince Sidhartha (*Buddha*), bearing the torch of Truth in his hand, arose on the darkness of India. Then ensued tumult and confusion in the land, with the question, "Who is he that hath come?" As Buddha thrust from him all kingly state, so he struck a blow at the spiritual lordship of the Brahman. He said: "All ye afflicted and distressed, draw nigh unto me; I will enfold you in my arms. My religion, my faith, is wide as the heavens. Beneath it, Brahman and Chandal, man and woman, rich and poor, youth

and age, can dwell together." When, with the sound of Truth's victorious trumpet, this grand proclamation was made, Indian society began to bubble as a heated cauldron. After giving birth to this great hero, India could no longer sleep. Along with the rise of Buddha two great changes were effected :

1. Hindu society became divided into parties, and liberty began to spread in all directions, as it was in Europe when, the great Martin Luther having raised the flag of independence, people followed their own counsel in religion, and began to exercise the right of private judgment. The same thing occurred in India. Buddha having opposed the Brahman power, the path of opposition was opened, and thenceforth the spirit of independence appeared everywhere, and Indian society gradually became split up into innumerable sections.

2. From the time of the promulgation of Buddhism, the lower castes began to rise. From all sections people took refuge under the protection of the new faith. Gradually the word *Sraman* became used in opposition to Brahman. So that in India, where at one time Manu had forbidden the Sudra to dwell, in that very India, in the third century from the birth of Buddha, in the Sudra's name the kingdom was honoured.*

In this manner, Mahatma Shakya (*Buddha*) effected a great change in Indian society. The Brahman power had received a great blow ; the stringency of caste rule had become everywhere /76/ slightly relaxed, but Brahman sovereignty was by no means extinct. Hindu Rajas still held sway in the land. The Rajas of Pataliputhra proclaimed the religion of Buddha ; but in another province the Rajas performed sacrifice after the rites of the Hindu faith. The Brahman, whose honour was thus sustained by the strength of the King's arm, continued to rule. /77/

The second blow to caste distinction was given by the Mussulman kings. They were bitterly hostile towards caste

*In the reign of Chandragupta, B. C. 315, who was of low birth, whose family retained the kingdom for ten generations, and were followed by three Sudra dynasties.—See Dr. Pope's *Text Book of Indian History*.

and idol-worship. They said, "We do not understand your caste distinctions : whoever will do our work, will be recompensed." The Brahmans, swelling with pride of race, stood aloof from the Mlecchas ; while the Sudras and other low-caste men, pushing forward, received appointments to offices of State, and acquired the Mussulman language. From this two changes arose :

1. All the Hindus who entered into this compact with Mussulmans learned their rites and customs ; and from constantly hearing their attacks upon caste and idolatry, began to lose faith in the Hindu religion.

2. The Kaystha, the Vaidya, and other inferior castes, began to accumulate wealth. Many of them, receiving grants from their Mussulaman rulers, acquired estates. The standing and /128/ the power of Sudras increasing, they became heads of parties in Hindu society ; while Persian learning having become fashionable, and Sanscrit learning of little account, the Brahmans became ignorant even of the Shastras. The learning and intelligence of the Brahman being diminished, he became dependent on the Sudra for a maintenance.

The country was in this condition when the English set foot in it. These new rulers, like their predecessors, refrained from interference with the religion of the subject ; but they set in motion a stream of change that sapped the very foundations of society.

- 1st. They opened the door of education to all classes. In the matter of learning, they made no distinction between the Brahman and the Sudra. When the long-persecuted classes read in English books of the excellence and dignity of man, when they read the history of the many struggles for freedom, a new life was excited within them. They saw a new kingdom, a new road to advancement, stretch before them. Once seen, they pursued it eagerly.

- 2nd. In the present day, by means of the printing press, the ancient Scriptures have been placed in the hands of all classes, even to the lowest. The Brahmans prevented other castes from reading the Shastras, which they used as a weapon to maintain their rule ; but now these very Scriptures are in the hands of

all. In ancient times, the composers of the Shastras said that the Sudra had no part in the Vedas. Now what do we see? Not to speak of the Sudras, the Mlecchas have become the resouers of our Scriptures, and are expounding to us their meaning. For all these reasons, the custom of caste is daily becoming weaker. There is no such enemy to caste as modern English civilisation. Some say that further to attack caste is superfluous. English education has dug below its roots, and it will soon die : why discuss the matter further? In this city of Calcutta, how many hundreds of Hindus there are who eat forbidden fruit in the hotels, and yet are received in society ! and not only so, but they are acknowledged as leaders of the various parties what, then, has become of caste?

Now let us see what injuries this country has sustained from the custom of caste. But, before counting the evils, we must see what benefits, if any, have resulted there from. An English writer has published a book advocating caste. I have read his work carefully, to see what he has to say in favour of it. Among the benefits he mentions, the two principal are as follow :

1st. The establishment of caste improved Hindu morality.

If we glance at other countries, we see that the moral and spiritual condition of their lower classes was truly deplorable. /129/ Drunkenness and debauchery were so rife amongst them as to reduce them to a brutal condition. Owing to the severe discipline of caste, these two vices had far less hold on Hindu society.* How came it about that the ancient Indian civilisation was chiefly moral and spiritual in its character? We find the answer in the fact that the Brahman was devoted to the cultivation of religion, to the performance of its rites, and to its promulgation ; and his authority over the rest of society being acknowledged, the impress of his philosophic temperament was stamped upon the race. Caste having been established, left the Brahman free to devote himself to the study of philosophy. "Thus," argues the writer whose book we are discussing, "had

*Here the lecturer has cut out a passage in which it is maintained that modern Western civilisation is material in its character while Hindu civilisation has been moral and spiritual.

caste not existed in ancient society, there would have been no division of labour."

The reply to this is, that division of labour is a distinguishing mark of all modern civilisation. By this specialism, everything is brought to a marvellous degree of perfection. One class cultivates science, another mechanics, another the promulgation of religion. In this manner without inconvenience to anyone, the departments of human labour are independently carried on. Accordingly, modern society does not require the custom of caste to effect the benefits it produced in ancient India.

The English writer's second assertion is that, but for the restrictions of caste, Indian races would be absorbed by foreign races. As an example of this, he mentions the Lodas of the Nilgiri Mountains. He says that, from the absence of caste restrictions, they are gradually being swallowed up by the lower European class. On this point a remark is necessary. The diminution of the Loda race is not due to the absence of caste amongst them, but to their laziness and deficient understanding. In the life-struggle, being always defeated by others, they have fallen into extreme poverty, and their numbers are gradually diminishing. From the same cause, the same thing is happening to the Lepchas of Darjiling. But look at Burma! There is no caste amongst the Burmese. If a Burmese woman is married to a European, she does not lose caste thereby. Should she become a widow, or if in any way the connection is broken, she is received again by her relations without difficulty. In Burma, many such marriages exist; but the Burmese are not on that account diminishing in number.

Be that as it may, we must now proceed to consider the evil consequences of caste. /130/

1. This custom sowed in India the seeds of discord and disunion. For this reason, the force of that great truth, "The Brotherhood of Man," cannot make itself felt in the Indian mind. Because of caste distinction, the people of one province differ in morals and customs from those of the neighbouring province. There is no social relation between them, so that intimacy cannot grow. Observe how the Brahmans and Kaysthas of

Calcutta despise the jewellers. Where caste hatred exists, how can there be intimacy? Observe yet further the sad condition of this country. If a man from the neighbourhood of Calcutta goes to Midnapur, he despises the people of that place. If a Bengali goes to Bihar, he thinks little of the Biharis. The Punjabi looks down upon the Panjabi-Bengali, while the Bengali considers the Panjabi low-caste. The root of all this unfriendliness between the races is caste. As you will readily perceive, inter-marriage is the most powerful means of increasing intercourse between different parties. What does history tell us? You all know the enmity that existed between the ancient Romans and the Sabines; but when the Roman youths carried off and married some of the Sabine damsels, friendship and inter-marriage were cultivated between the hostile races.

But why refer to history? You must often have noticed how great a friendship there is between two villages where inter-marriage is frequent. How greatly we love a village that contains many of our female relatives; how friendly we are with its people! Where caste exists, this friendliness cannot grow; where there is no intimacy, there can be no sympathy. If you were to hear that numbers of people were dying in Madras from famine and pestilence, from a community of feeling you would be greatly afflicted, because you would feel as though it were your own country. Our own hearts would feel the blow because we have many friends and acquaintances there. How much our sorrow would be increased if some of us had an aunt or a sister dwelling there! This is easily understood; and it is needless to add, that the greater the intimacy, the keener the sympathy. Caste permits no intimacy to grow up. This want of intimacy and union is the principal cause of India's poverty. It is the reason why India falls so readily under the yoke of the foreigner.

Once, when travelling in the Punjab, I fell into conversation with an English official of high rank on the future condition of India. This gentleman said to me:

"I think you come from Bengal?"

I assented, saying I had come to travel in the Punjab.

"Well," he said, "let us talk a little on the future of your country. /131/"

I suggested it would be well to avoid the subject ; for if we did not agree, it would spoil the pleasure of our conversation.

"No, no," he replied. "I have no desire to quarrel."

Then I said : "The English education you have given us has created in our hearts a longing for independence and self-government."

With a smile, he said : "Then you are looking forward to the day when we shall leave the country ?"

"Yes ; how can it be otherwise ?"

"Do you think you will be able to drive us from the country ?"

"No ; I see no chance of it for some centuries to come."

He replied : "It is not because you are not a warlike race. We have given you self-government ; and it is not for want of strength that you cannot be independent of us, but for another reason. There is one thing among you which will prevent you from becoming united, and will prevent you from turning us out of the country."

"What is that ?"

"Caste. While that custom prevails, who can drive us hence ?"

And, truly, this custom prevents the growth of friendship and sympathy between the races of India, and to it is owing the weakness of the inhabitants.

The second evil consequence of caste is, that by it physical labour has been rendered contemptible in the eyes of the people. Physical labour in this country having ever been performed by the inferior castes, the superior castes have come to consider it unworthy of them, and will not undertake it. The prevalence of this custom through long ages has caused the respectable classes to despise physical labour. Hence it is seen that whoever in this country holds a good position, either by education or from any other cause, both he and his children after him despise physical labour. So far does this feeling extend, that a Brahman or a Kaystha of small means will live with his household on insufficient food, rather than earn money by physical labour. Not

to speak of the Brahman householder, the Brahman beggar, if reproached with begging, will reply, "Sir, the son of a Brahman cannot labour ; he must live upon alms." The Brahman has no shame in begging. How dreadful ! What hope is there of rescuing from poverty a country in which to live upon alms is thought more respectable than honest physical labour ?

Oh, young men of India ! so long as you will not learn courageously, diligently, and independently to earn your bread by the sweat of your brow—so long as you will not use your /132/ God-given hands and feet to elevate yourselves, so long will the curse of poverty remain. Glance at history, and you will see that while the Brahman power prevailed the labouring classes could not rise. The handicrafts of this country which obtained such a marvellous reputation, were developed chiefly under the Buddhist kings ; that is to say, when the Brahman power was diminished, labour and handicraft were seen to rise.

The third evil resulting from caste is that, through its influence, India became poor. On account of caste, ocean travelling was forbidden, so commerce could not be developed. Up to this day, what country has ever developed commerce except by ocean traffic ? Go to Bombay, and see how many cotton-mills are being worked by natives of this country. Look at the heaps of cotton yarn stacked in the factories. But where is this yarn sold ? In the Bombay Bazaar. Who buys it ? European merchants, who take it to China and Japan for sale. One set of people prepares the yarn ; a second buys it, and makes a profit in selling it again elsewhere. While caste existed, this process could not be carried out ; hence India remained poor.

4th. Caste has caused the mental and physical weakness of the people of this country. It caused the gradual contraction of the area of marriage, as there might be no mingling of blood. It is an established truth in the world of life, that if the marriage relation be restricted within narrow limits, individuals will become weak and inert, and the race will, in time, die out. Take a pair of domesticated ducks into a place where there are no other ducks. Let them breed, taking care that no strange



ducks have access to them. After some generations, you will find the progeny have deteriorated ; and, yet later, they will be sterile. That too close limitation in marriage causes physical degeneration is an established fact of science, and need not be further discussed here.

Again, glance at the English race. Consider their strength, valour, and prowess. We often forget that fearlessness, enterprise, dexterity, zeal, independence, in great measure, result from physical vigour. As an illustration of this, I remember a story in the Puranas. Once upon a time, the Immortals were greatly disturbed by the outrages of the Asuras. They besought Vishnu to destroy the demons. It was resolved that, from the substance of the Immortals, a hero of boundless energy should be created. Indra gave three parts, Yama also three parts ; Vayu, Varuna, and the rest each gave his contribution. From all these, a mighty being was constructed, capable of destroying the demons. This story must be well known to you.

The English race was produced much in the same way. /133/ Saxons, Danes, Normans, and other nations contributed to form the race. Moreover, they are free from prejudice in forming marriage connections. Wherever they go, they contract marriages. If an Englishman goes to France or Italy, he brings home a French or an Italian woman as his wife. Thus fresh blood is constantly being introduced into the stream of English society. Different elements thus brought together increase their powers. As their language has been improved by words from many other tongues, so their mental and physical nature has gained power from the qualities of many nations.

5th. Caste, existing through so many centuries, has proved a powerful obstacle in the path of progress. As the Chinese surrounded their empire by a stone wall to exclude, through many ages, external light, progress, and thought from their kingdom, so the Hindus, by the moral impediment of caste, closed their own path to progress. Hence it is that, during the century and a half of English rule, we have not made so much advance in political and social science as have the Japanese during the past thirty years.

How marvellous the number of currents borne over India ! Here the new faith of the spiritual Buddha was proclaimed ; here the Mussulman, sword in hand, sought to establish his creed ; here hundreds of Christian Missionaries have laboured day and night ; yet none have succeeded in causing the stagnant, immovable mass to progress. Why is this ? Caste is the cause. With the sword of caste suspended over his head, who dare stretch forth his foot ? If the yoke of caste were not so firmly fixed on the necks of the men and women of this country, its conservatism would not have been so great.

6th. As caste has made the people of this country averse to progress, so also it has robbed them of manliness. It has made them timid. I say this with much pain and sorrow. Society exists for the elevation of the individual. The society in which I can grow in the knowledge of virtue, can develop pure affections, can advance unhindered in the path of right, fearlessly and independently cultivate all my mental powers to accomplish works pleasing to God,—such society is framed according to the will of God. But where this is not the case,—where society is persecuting and hostile ; where one cannot pursue the right without opposition ; where sincere, virtue-loving people are persecuted like criminals ; where one is not permitted to follow the dictates of independent thought ; where manliness and spirituality cannot be preserved,—such society is like the diseased body, unfit for the dwelling of man's spirit. Through the establishment of caste, this evil condition has befallen Hindu society. Alas ! alas ! it is this that has made our people timid. /134/ In fear of the loss of caste, people have failed even to stand up for their own rights.

See that innocent daughter of an educated man reduced to the condition of widowhood in her tenth year ! That little simple maiden, ignorant of family joys and sorrows, is taken from her sports and given in marriage by her father, because he fears to run counter to the custom of his caste. In less than a year, the dreadful condition of widowhood comes upon her. She is now in the spring of her youth. Her educated father and ignorant mother shed secret tears whenever they look upon

her youthful, blooming, simple, innocent face. Heart, soul, and conscience tell them clearly that to keep her forcibly in a state of widowhood is wrong ; but from want of courage they take no step. What do they fear ? Loss of caste ! If it were not possible for the many to unite together, to persecute one in the name of caste, would the maiden's path to the happiness of married life be closed ? Thus, is it not true to say that fear of society destroys people's manhood ! But for caste this fear of society would not exist.

7th. Consider how far caste has corrupted marriage customs. Why is it that wherever in India Hindus are to be found, child-marriage exists ? Is not caste the chief cause ? In Bengal there are three great divisions of the Brahman caste : Rarhi, Vaidik, and Varendra. Among these three, intermarriage is forbidden. Amongst them, again, there are the Kulins and the Moulicks ; and their marriage restrictions are very severe. Thus, by degrees, the area of marriage shrinks, till there is nothing of it left. Hence it results, that if one man in a family is married, there is little chance for his children to marry. On the other hand, since it is strictly forbidden in the Shastras that girls shall pass their tenth year unmarried, in process of time it will become difficult to find suitable husbands. Consequently, when fathers of daughters hear of suitable persons, they give their daughters in marriage even before the prescribed age. "How do I know," he thinks, "whether, when my girl grow up, I shall find a suitable husband for her ? I cannot keep her unmarried ;" so, without reference to her age, he gives her in marriage. On this reasoning fathers have acted, and do act. For this reason, among the Vaidik Brahmans of the south of Calcutta, the custom has grown up of giving daughters in marriage when a month old. For this cause, among the Kulin Brahmans, child-marriage has become as a thorn in the family happiness. For this reason, the marriage of daughters has become so fearfully costly among the Suvarnabaniks, Vaidyas, Kaysthas, and other castes in this country. So much has this expense increased, that should there be three /135/ daughters in a family, the whole of the estate is consumed in the process.

The families which include intelligent, educated sons are extremely fortunate. They can sell each son by auction, and accumulate great wealth. This social oppression has become so unendurable among the above-mentioned classes, that societies are being formed, at which they are saying, "Come, let us agree upon a fixed amount, beyond which we will not go, to secure a bridegroom." But their attempts are not altogether successful. How should they be? Child-marriage is the offspring of caste,—caste, which calls an auction to dispose of a valuable son! While caste continues, these evils will also continue.

8th. I detest caste because it is based upon impiety. God gave to mankind mental and bodily powers for a possession, that each, according to his inclination, might use them for his own improvement and the welfare of others. This is God's law; caste makes this law of no effect. Caste says: "If you are of the religious class, you may become wise and learned; but if you are a Sudra, you cannot share the privileges of the Brahman." This law of caste, opposed to justice, morality, and the will of God, maintaining the Brahman supremacy through so many ages, crushed the intelligence and moral power of the other castes. Keeping them thus trampled under foot, did it not injure this country in every direction? If they had been free to develop their powers without hindrance; if, according to their capacities, they could have pursued the path of improvement; if they had thus won social honour and respect; if the light of their intelligence had been suffered to shine upon society, would not the glory of the country have increased in their glory? Would not India's sky have been illumined by the brilliance of their fame? Whose would have been the gain? What do we see to be the result of the slackening of the bonds of caste at this time? Our Dr. Mohendra Lal Sircar, our Kristodas Pal, which of us does not recall their names with the feeling that their memory reflects a glory upon his country? Had the rigidity of caste continued, could such names have been known among us? Have they not benefited their country? You, thoughtless young men, have you ever considered how many hundreds of such names might have been known

amongst us but for the prevalence of caste ? Thus, you see how great an enemy caste has been to our country.

9th. In my opinion, the prevalence of caste rendered it easy to hold the people of this country in subjection. The numbers of the non-Brahman caste at all times exceeded those of the Brahman. The said Brahmans, living in a severe moral bondage, /136/ lost their manliness ; so, when the foreigner invaded the country, this unmanly race, accustomed to bondage, easily consented to wear the yoke of subjection.

There is no need further to swell the list of evils. They are all produced by caste. By it, the fire of malice was set alight in India. It has set up discord between brothers ; brought contempt upon physical labour ; discouraged handicraft and commerce ; increased the sufferings of the poor ; brought about mental and physical weakness ; opposed social progress ; robbed the Hindus of their manhood ; increased their timidity ; given birth to child-marriage, polygamy, and other evil marriage customs ; closed the path of human progress ; kept down the lower classes through many centuries ; and, finally prepared the people to wear the yoke of subjection to the foreigner. What more would you hear ? What have you to say in favour of such a custom ? When I remember all these evils, I say that if caste were a shrub or a tree, I would sieze it with both hands and fling it away. It is a thorn in the path of progress, and our country's foe. /137/

A lecture delivered in Calcutta in 1884. Reprinted from an English version rendered by Mrs. J. B. Knight, published in *The Indian Magazine* (London), nos. 217, 218, 219 ; January, February, March, 1889.

BOOK REVIEW

Modernization of traditional society and other essays, by S. P. AIYAR. Madras, Macmillan, 1973. xii, 318 p.

"She [Mrs. Jellyby] has denoted herself to an extensive variety of public subjects, at various times, and is at present (until something else attracts her) devoted to the subject of Africa ; with a view to the general cultivation of the coffee berry — and the natives..."

Charles Dickens : *Bleak House* ; chap. IV, *Telescopic Philanthropy*.

ONE approaches a volume with the title of Mr. Aiyar's book with a certain amount of wariness : tradition, modernity, modernisation, traditional—such words have been bandied about in recent years by Social Scientists of varying calibre. What has emerged from such protracted discussion has not shown much sign of being meaningful. Mr. Aiyar's book appears to be no exception to this rule.

This is not to undermine Mr. Aiyar's power of observation—he recognises symptoms, often acutely—but thus far it goes and no further. Perhaps one might say no deeper, because the cause of the symptoms is not diagnosed and prescription without such diagnosis is surely not to be trusted very far.

He divides his book into three sections : Part I on Modernization and Liberalism ; Part II Administration and Development ; and Part II Education and National Development.

His standpoint in all these sections is that of a liberal and liberalism is his credo in all three parts. For instance in a chapter on "Education and the Traditional Society in India" he prescribes :

"The educational policy must be suitably modified to fit in with the country's economic and political goals but its informing spirit should be the philosophy of humanism. Education must seek to liberate the individual from the shackles of traditional morality ; it must orient him intellectually to the world of

science ; it must make him more sensitive to the problems of his society, *foster respect for the natural inequality of men* (italics mine) and inculcate a love of freedom."¹

The 'tyranny of liberalism' is here in toto. The phrase is Sir Edwyn Hoskyns's . . . "that the liberal is not only convinced that he is right ; he is also convinced that other people secretly agree with him—how could they do otherwise ?—and are only restrained from saying so by unworthy motives arising from worldly prudence, material interest, and so forth."²

Of the 'shackles of traditional morality', we have already heard so much. It was the guiding spirit of colonial educational policy. Civilized Europe was to be brought to make civilized men out of savages. In what Stokes describes as 'a torrent of eloquence' worthy of Burke, Macaulay had said : "To have found a great people sunk in the lowest depths of slavery and superstition, to have so ruled them as to have made them desirous and capable of all the privileges of citizens, would indeed be a title to glory all our own."³

It would appear to be necessary to delve a little into the whole problem of this liberal education from its inception to the present day. This, because both the contents of this volume of *Nineteenth Century Studies* and Mr. Aiyar's thesis are as I hope to demonstrate, ineffably related to the colonial education policy.⁴

It was Bengal which first felt the impact of Anglo-Indian accord which resulted in the beginnings of this colonial interest in education. In the last number of *Nineteenth Century Studies*, we read of the establishment of the first institution for Native Education by the British Government, the Madrissa or Muhammadan College of Calcutta, followed a decade later by the Sanskrit College of Benares.⁵ The emphasis on continuing traditional native education with colonial finance is interesting but it was not to last. An urgent clamour arose among natives for an English education and schools came gradually to be set up in the metropolis and then in the districts. Vernacular education at the primary level was made available but English education was nearly always preferred and the right to acquire

tural sector. Industrial goods from Britain were pushed at the cost of ruining the Indian handicrafts industry in the name of "Free Trade" and facilitated by the rapid extension of a communication network like the railways in the second half of the nineteenth century. It is here that the shackles lie, with capitalism developing "by becoming a fetter on the social, economic and political progress of its colonies—the other countries involved in the growth of capitalism."¹¹ In a situation where the educated middle classes were dependent totally on the colonial structure, and not on the growth of the entrepreneurial role of the Indian bourgeoisie, the model of tradition—modernisation put forward by Aiyar cuts no ice. The exploitative relationship between the imperial power and the colonized country must be the basis of any social analysis. "The emergence of Indian entrepreneurship . . . was systematically discouraged by the political, administrative and financial arrangements maintained by the British rulers." Nor was there any valid reason for assuming a shortage of capital.¹²

Thus the educational system became to a large extent the generating system for the Baboo bureaucracy about which Mr. Aiyar makes elegant observations: "Defective delegation is one of the outstanding features of India's bureaupathology," when he speaks of the O and M Division itself becoming paralyzed.¹³ Plagiarism,¹⁴ cheating in examinations, the use of *passe'* textbooks¹⁵ recommended by 'expert' selection committees in the field of education—all these are true and to be deplored, but their roots in the colonial system of education must precede an analysis of them else you lose the wood for the trees. The artificiality of the system offered very little scope for productive employment in the nineteenth century and in our times it still does not. A moral stand on plagiarism and cheating or on the inefficiency of the bureaucracy is then perhaps not so easily justified. Nor perhaps can we accept his focal point about academic freedom, in the Universities,¹⁶ of an élite which then as now, has no social legitimacy or power to command it, since it still bears little or no relation to the production process and is, in fact parasitic on it.

Mr. Aiyar's style is very much the end product of the liberal humanism which he so insists on. Entertaining asides abound — as for instance, when, in speaking of the political influences in Osmania University : "At Osmania University, there is even a local idiom for describing these influences. When I first heard the word *pairavi* used I thought it had something to do with the *raga* of Indian music. But how strange are the *ragas* of university administration in India !"¹⁷

It would do, perhaps, to end on this note, and to remind ourselves briefly that Mrs. Jellyby's zealous mission is now complete — the coffee berry and the native of Borioboola-Gha have both been 'cultivated' — or have they ?

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Department of English,
Lady Brabourne College,
Calcutta.

SAJNI KRIPALANI-MUKHERJI



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A UTILITARIAN VIEW OF LITERARY CULTURE

MILL & THE WESTMINSTER REVIEW

BY MALINI BHATTACHARYA

This article argues that the Benthamite Radicals of the 1820s were not, as a popular view vaguely makes them, antipathetic to literature and a literary culture. There is, on the contrary, ample evidence in their writings in the *Westminster*, which was their principal organ, that they were at this time, trying to develop a new view of literature. The writing and reading of literature being regarded as social activities, the reformatory programme of the Benthamites in the political and educational spheres could not be complete unless a place was found in it for these former activities. There was an effort towards the formulation of the Utilitarian principles of literary criticism.

However, the end of the Utilitarian reformatory programme was to stabilise the political power of the industrial middle class, and the radicalism of the Benthamites lost its content as soon as this end was considered, by the 1830s, to have been largely achieved. Side by side with this, their independent view of a literary culture, too, buckled under its own contradictions. *The London and Westminster Review*, as their mouthpiece came to be called under the editorship of J. S. Mill, reflected this decline. The attempt of Mill to save the Utilitarian system by 'enlarging' it with the aid of a 'Coleridgean' view of culture, was nothing but a symptom of the decay of the system.

AN author*, whether he is a historian, a reviewer, a writer of prose fiction, or of poetry, is an intellectual with a role to play in contemporary society, and this role is to assist, with other intellectuals, the maximisation of happiness in society; this is one of the basic assumptions of Utilitarianism which John

*The terms 'author' and 'authorship' have been used in connection with writing for a general public, not a limited, specially-trained one.

Stuart Mill had to revise when during the years 1826-40, he was in the process of re-assessing the creed derived from his father and Bentham. But for the so-called 'orthodox' Benthamites, of whom John Stuart Mill himself had been one, 'utility' was a flexible term, there was the possibility of applying it meaningfully to different spheres of human activity; however, in the revised version of the system, 'utility' is a poor, shrunken word. It becomes evident in Mill's writings, that it can no longer be used to describe the singular social end of all human action; pluralistic explanations have to be found, particularly for artistic or literary activities.

This essay deals with this change in the Utilitarian concept of the author's role in society, and demonstrates that instead of enlarging the philosophical system handed down by James Mill and Bentham, the younger Mill was, in effect, hastening its inevitable decline, by bringing its latent inconsistencies to light.

In the 1820s, the horizon expanded for the Philosophic Radicals and their interests came to include not only law and political economy, but practical politics as well. The Romantic theory of art, or the 'expressive theory'¹ as M. H. Abrams named it, explained the use of literature by its origin in the author's mind, and its proponents, with Coleridge at their head, like all good idealists, saw the author as creating reality rather than reflecting it. But the Philosophic Radicals called for the enrolment of the contemporary writer as a functionary in the Utilitarian programme of social and political reform, along with other intellectuals like political economists, legislators, lawyers, public administrators, and finally a parliamentary radical party which was supposed to be in the making. Therefore, for them, the importance of literature lay in its correspondence with the reality which manifested itself in the various aspects of social relationship among human beings. It was at this time, in 1824, that the *Westminster Review* was set up with the purpose of supplying the Utilitarian reformer with a platform as literary critic and reviewer. Armed with the *Review*, he could seek to relate literature with man's social and political existence as a whole.



But the fine balance between 'rationalistic' and 'naturalistic' tendencies² which had constituted the strength of Utilitarianism was overthrown in the 1830s. At a time when industrial capitalism in Britain was still disorganised and groping in the dark, Utilitarianism emerged as a theoretical device to protect it both from its antagonists—the 'sinister' interests—and from its protagonists, those over-zealous speculators who could see nothing beyond their immediate self-interest. At this stage, the Utilitarians considered a critique of established institutions and modes of thought to be compatible with reason. But once the new mode of production was thought to have attained comparative security with the Reform Act of 1832, a movement for household, or even Universal suffrage, the New Poor Law and the Anti-Corn Law League, the progressive days of the Utilitarians were over. They emerged as apologists for the Capitalist system, rather than as critics of hindrances to it. As their economic 'naturalism', expressed in their 'laissez faire' policy, overshadowed their schemes of political reform, the zeal for politicizing the author came to an end. The vision of the intimate interpenetration of politics and literature was lost.

In 1828, the dislike of the Mills for John Bowring editor of the *Westminster Review* appointed by Bentham, came to a head, and they seceded with their followers from the *Review* 'which they had made great, but which had never been their own'.³ Between April 1828 and April 1836, they had little connection with the *Review*. But, in 1836, with Bentham dead and James Mill dying the task of giving leadership to the Philosophic Radicals fell on J. S. Mill, and when he bought back the review from Perronet Thompson with the help of the wealthy Molesworth, he saw its editorship as an opportunity for inspiring cohesiveness among radical and liberal members of the Parliament. But even though *London and Westminster Review*, as it was now called, was still a periodical with an avowedly political purpose, literary reviews and political writings were now based on unrelated criteria. Earlier, it had been possible for the Utilitarians to demand that the writer, no less than 'productive' classes should imbibe the principles of political

economy in order to be efficient in his own job. After 1836, though literature was still regarded as a cognitive tool by Mill, he was no longer willing to spell out what his object of knowledge was, in other words what, about the social relationships of man he wanted to know from literature. This empiricist standpoint resulted in the neglect of the interconnection between literature and politics.

By the late 1830s, Utilitarianism, as the rationale of industrial capitalism was on its way to becoming a spent force as a philosophical system. Mill never rejected Utilitarianism however, although he wished to revise it. As Raymond Williams points out: 'What appealed to Mill, in his reconsideration of Benthamism, was the emphasis implied in Coleridge's key-word *enlarged*. He wanted *principle*, or *enlarged systems of action* as an improvement on a system competent only in "the merely *business* part of the social arrangements" and insufficiently competent even in that.' Raymond Williams goes on to say that the plan to enlarge the Benthamite system that Mill hit upon was to introduce the idea of culture. But what had been a 'social idea' for Coleridge, becomes for Mill 'a special reserve area in which feeling can be tended and organized'.⁴

Unfortunately, Raymond Williams takes for granted the common view about the Utilitarians that they were 'narrow dogmatists', an assumption which hinders an understanding of their activities in the 1820s. He is repelled, quite rightly, by the vulgar-materialist idea described by him in *The Long Revolution*, 'that the basis of the society, its political, economic, and "social" arrangements form the central core of facts, after which the art and theory can be adduced for marginal illustration or "correlation"',^{4a} and the Utilitarian understanding of art and literature is said to be limited by a similar brand of simple determinism. 'If we find, as often, that a particular activity came radically to change the whole organization, we can still not say that it is to this activity that all the others must be related, we can only study the varying ways in which, within the changing organization, the particular activities and their interrelations were affected.'^{4b} The irreplaceability

of art in its relationship with other cognitive or 'creative' activities of man is undeniable. But as long as one admits that it is the immediate impact of one particular activity which changes the 'whole organization', a relative priority, in that sense, must be assigned to that activity. It is impossible to think of a 'whole organization' which does not contain priorities.

Such pre-eminence was given by the Utilitarians to the economic activity of man. But this does not mean that they did not recognize the importance of the proportionate cultivation of all the different faculties of the human mind. For instance, they did not see education as mere training in industrial activity and the production of more money-making machines, but as the propagation of active intelligence which might be applied to all the different spheres of life including the literary and artistic.

In literary criticism, to this day, there is a strong reaction, which Raymond Williams himself does so much to counteract, against recognizing the importance of the ideological aspect of literature and literary culture, which is the result of its being generated within a particular social structure. This makes it all the more necessary to realize that the Utilitarians were perhaps unique among the middle-class intellectuals of the early nineteenth century in perceiving the ideological aspect to be relevant to the comprehension of literature, although there their investigation ended. They were progressive in seeing culture, specially literary culture, not as 'an abstraction and an absolute', or 'a mitigating and rallying alternative' to the processes of practical social judgment, but as completing and reinforcing our knowledge of the relationship among all these processes. One might indeed disagree with their unilateral and arbitrary conclusions about the 'laws' of man's economic life, e.g., their wage-fund theory, or their acceptance of the Malthusian theory of population; it may even be said that it was their faulty political and economic theory rather than their attitude to literature which led to the failure of the system to offer an adequate doctrine about the relation between literature and other human activities. But surely it is

much more comprehensible to talk of the priority of economic activity rather than the priority of literary and cultural activity as the opponents of the Utilitarians did.

Mill's attempted revision of Benthamite philosophy was but a sign of the inevitable decline of the system. The point is: whether it is possible to contemplate (as Mill did) a salvaging operation, by grafting the Coleridgean idea of culture—part of a contradictory philosophical system—onto Benthamite philosophy which already had its own theory of culture. The answer must be negative: eclecticism is hardly a system, it may arise from the disintegration of one.

Jeremy Bentham and James Mill met each other for the first time in 1808.⁵ Michael St. John Packe says that the friendship between the two led to an overt commitment to Radical politics on the part of each. But it was only around 1820, that the 'philosophic Radicals' emerged as a political party with a fully-developed programme. Bentham's *Plan for Parliamentary Reform*, though written earlier, was not published until 1817. In this, and in *Resolutions on Parliamentary Reform* (1818) written for his friend Sir Francis Burdett, Radical M.P. for Westminster, Bentham spoke out for the first time on behalf of 'free suffrage of the great body of the people'.⁶ Then, in 1820, James Mill's *Essay on Government* came out in the supplement to *Encyclopaedia Britannica*; according to his son, this 'was regarded probably by all of us as a masterpiece of political wisdom'.⁷ At the same time when their theoretical position was being clarified, the initiates to Radical Benthamism were emerging as a consolidated body, the nucleus of a possible political party. Francis Place, the Radical tailor of Charing Cross, who was to act as the intermediary between the Radicals and various working-class movements was converted properly to Benthamism in 1817, although he had known James Mill personally from 1811. James Mill attracted a body of younger converts around him, George Grote and John Austin being the first to enter his discipleship. Even in 1820, Grote published a pamphlet defending 'Radical Reform' in reply to an article by



Sir James Mackintosh published in the *Edinburgh Review*. Meanwhile, Charles, the younger of the Austin brothers, had not only made a name for himself as a Radical at Cambridge University, but had succeeded in winning there a number of proselytes for Benthamism. Through Charles Austin, Macaulay (whose conversion was only of brief duration), Hyde and Charles Villiers, Strutt and John Romilly were drawn to the Utilitarian circle. In the mean time, John Stuart Mill, still in his teens at that time, was making his own conquests on behalf of Benthamism. In the winter of 1822/23, he 'formed the plan of the little society' to which he gave the name Utilitarian Society and which operated till 1826, when it was replaced by the more ambitious London Debating Society. 'Any young man of education who fell in my way, and whose opinions were not incompatible with those of the Society, I endeavoured to press into its service.'⁸ Among those, who became Mill's intimate companions, were William Eyton Tooke, William Ellis, George Graham and John Arthur Roebuck.

All this was preparatory to launching into Parliamentary politics. But the intellectual activity which found expression through radical-democratic politics, was also seeking other channels, namely the system of public education and the profession of authorship. Not only must a new order of intellectuals be nurtured to expound political economy and support and justify the employment of capital to industry, but the existent media of communication must be exploited. According to the philosophic radicals, division of labour was the only way of promoting its usefulness, and therefore specialised knowledge and skill in every sphere of life was essential. But they also admitted that the end of all specialisation was to serve the general interest of the community. The intellectuals in a particular community, like legislators, political economists, scientists and technicians, were planning and devising things which, the Utilitarians thought, intimately concerned everyone in the community. Therefore the layman should not plead ignorance or indifference ; he should understand the elementary principles of that branch of knowledge which the specialist has

perfected himself in. All men, in this sense are and should be intellectuals. So, while on one hand, they clamoured for specialised proficiency, the Benthamites could not afford to ignore the media for mass communication for very long. That the system of public education, and next the profession of writing for a large public, should play a crucial role in their social philosophy, is therefore but natural.

All this may be said to have been implicit in Bentham's own works, but was expounded and brought out in its fuller implications in the 1820's by James Mill and his followers. The influence on the younger Benthamites of Bentham's lifelong endeavour to demystify the language of law, politics and religion and to discredit the traditional intellectuals who monopolised the liberal professions, cannot be exaggerated. J. S. Mill was to command Bentham in his famous article as the great 'subversive' or 'critical' thinker of his age and country.⁹ In the *Book of Fallacies*, edited in 1824 by Peregrine Bingham, Bentham talks of the 'fallacies of authority': 'the subject of which is Authority in various shapes, and the object to repress all exercise of the reasoning faculty.'¹⁰ Only constant exercise of the reasoning faculty on the part of the entire community can prevent such abuse of authority. 'By the priest and the lawyer, in whatsoever shape fiction has been employed, it has had for its object or effect, or both, to deceive, and by deception, to govern, and by governing, to promote the interest, real or supposed, of the party addressing, at the expense of the party addressed.'¹¹

But Bentham, even in the *Rationale of Reward* (1825), mainly addresses the government or even the 'sovereign' who can, by a judicious alternation of intervention and non-intervention, encourage the diffusion of the new arts and sciences. 'He may reward the individuals for teaching the arts and sciences, and thus establish a new public opinion, which shall at first compete with, and at length ultimately subdue, the previous prejudice' [on behalf of the exclusive study of the ancient languages].¹² Also while seeing public education as a means of communication between intellectuals and laymen,

Bentham may not have been very enthusiastic about authorship from the same point of view. He was scathing about those literary critics who are 'a sort of importunate hosts, who place themselves at the table to diminish, by their pretended delicacy, the appetite of their guests' and satirists who load the language which they use with prejudice and unreason. He had no use for the criterion of good and bad taste employed to literature by Addison, because he saw it as running away from reason into the arms of 'custom and prejudice.'¹³ Again with regard to poetry, he asserted that its true utility, which lies in providing innocent amusement was too often spoilt by the communication through it of mischievous notions. Indeed he went to the extent of saying that 'between poetry and truth there is a natural opposition.'¹⁴ Thus Bentham saw both critical and imaginative literature as, more often than not, vehicles of reaction.

But if Bentham really thought so, how, could he also regard poetry as supplying 'innocent' amusement solely? Poetic fiction he may have considered less harmful than legal and political fiction because it seldom has any direct bearing on action. But if its 'utility' is to be admitted at all it logically follows that one ought never to lose sight of factors which might spoil that utility. Therefore, if the 'utility' of poetry, i.e., its capacity to provide harmless amusement, is to be realized, is it not a precondition that the possible influence of pernicious opinions should be counteracted? In other words, even in order to give harmless amusement, should not the poet have the right opinions in matters of importance? These questions are not actually raised by Bentham though implicitly, the importance of the ideological element in literature is admitted. However, it is in the literary criticism of the *Westminster Review* that the idea is elaborated in its fullest implications.

Bentham professed to prefer push-pin to poetry because the former, having no intellectual content, is invariably innocent. The younger Benthamites found that poetry may have a greater 'utility' because it may have more of intellectual content.

And anyway, even Bentham had admitted 'that there have been noble spirits to whom poetry and philosophy have been equally indebted.'¹⁵

As for critical literature, writers in the *Westminster Review* came out with the claim that they were seeking to supplant false criticism by true criticism. In his article on periodical writing in the first number of the *Review*, James Mill criticizes the reviewers in the dominating periodicals for expressing opinions on 'all the most important questions of morals and legislations' which it is really for specialists to solve. They supply pleasures of reading to the greatest possible number, but cannot 'do the most effectual good to correct their errors'. This is because they depend for success on the 'interests of the small number'.¹⁶ But the *Westminster* is advertised to be free from this fault because it follows the 'line of utility' and Mill is confident that the 'class who will really approve endeavours in favour of good government, and of the happiness and intelligence of men, are a class sufficiently numerous to reward our endeavours'.¹⁷ This shows that writing for a large public as a means of the maximisation of human happiness was of greater importance to the Benthamites in the 1820's than to Bentham himself.

The same tendency manifests itself in another way. The appeal of the *Westminster* is not to the government, but to the people, or rather to that 'numerous class' whose interest, they thought was the interest of the whole community. The intellectuals of the new mode of production were seeking to establish direct contact with the class that was rising to power with it and not with the existent government. In this respect, Bentham in *The Rationale of Reward* was looking back while his disciples were looking forward to a more democratic form of politics. They rely not so much on the authorities to bring a gradual change in public opinion, as on public opinion to correct itself and bring pressure to bear on the government.

The *Westminster* poured the full vial of its scorn not only on hack-writers who prospered by flattering the prejudices of the public, but on amateur authors who claimed to be competent



to give opinions casually on any subject while writing a review. 'To be literary, to be a *litterateur* (we want a word), a *bel esprit*, or a blue stocking, is the disease of the age. The world is to be stormed by poetry, and to be occupied by reviews and albums. He is to be a statesman because his Greek verse carried the prize, to conduct a political journal because he is a poet . . .'¹⁸ But while being a 'litterateur' by itself, is not taken to confer any special privilege to comment on any and every subject, specialized efficiency is demanded even from the author. Specialization in this context, means proper knowledge of the general interest of the community. That is why, according to this view, the author must also be a political person.

Utility may have been the motto of many a Gradgrind, but Gradgrindian view of education is hardly a fair caricature of the Utilitarian. It is paradoxical that while trying to break down the monopoly of Latin and Greek as almost the sole components of officially accepted higher education, the Utilitarians were charged with narrowing down its aim, with attempting to convert it into a mere training for particular professions, and with negligence of the cultivation of other mental faculties. When the essence of the Utilitarian programme is said to be hostility to 'literary' or 'liberal' culture and emphasis on the physical sciences and technology, the basic importance given by Utilitarians to political education is entirely clouded over. The aim of any educational system is to help the recipients to be adjusted to a particular organization of society and to be initiated into the ideology which reinforces it. All education, in this sense, is political in content. This the Utilitarians recognized. They were not less concerned than the protagonists of 'liberal' education with the cultivation of the whole man, or the development of the mental faculties so that they might be employed in any sphere of life. Only they saw both literary and technological culture as part of a political process; according to them, not even professional efficiency can be expected of one who does not understand the

social and political totality of which he is but a part. James Mill, talking about the four aspects of educations : technical (including 'liberal arts'), domestic, social and political, speaks of the last-mentioned as 'the keystone of the arch'. Moreover, it is the nature of the political machine which decides whether a particular educational system is good or bad.¹⁹

If we study this article by James Mill, or the two articles on education which appeared in January 1824 and July 1825 in the *Westminster Review*, it becomes quite evident that the study of Greek and Latin in schools and universities is attacked not *because* it is 'literary', but because by monopolising higher education, it tended to thrust political reality in the background. The first of the two articles in the *Westminster* is a review of Bentham's *Chrestomathia* by Dr. Southwood Smith, a scheme of school education said to be suitable for 'the middling and higher ranks in life'; the emphasis in the review, however, is decidedly on the 'middling ranks', mechanists, chemists, shopkeepers and artisans, who have not the time to wade through 'tremendous Lilly', like pupils at Westminster and Oxford, and are confined therefore to the elementary arts of reading, writing, and arithmetic, and deprived of the benefits of higher education. It is to be noted that along with sciences, history, politics and modern languages, the Chrestomathic pupil also reaps the benefit of studying Greek and Latin in what is said to be a much more effective way.

The subject in the second article is education of the 'higher classes'. Here, the demand is not for the exclusion of the 'extinct languages', but the abolition of the special prestige attached to them. 'In the present state of the world the most enlightened people will always maintain a decided superiority over those who are less informed' and this newly powerful class is not supported by literature, or the knowledge of extinct languages, 'but by the science of politics, of law, of public economy, of commerce, of mathematics; by astronomy, by chemistry, by mechanics, by natural history.'²⁰ The exclusive prestige still granted to Greek and Latin derives solely from associations of early youth; to those 'we must trace that party



spirit and feeling, that mystic and masonic sentiment and language, which adhere for life to those who have been educated at our public institutions, and which so strongly tend to support them and their abuses'.²¹ It should be noticed that in these articles, scientific and technical education is not given importance for its own sake, but because it is seen as corresponding to a newly-developing structure of power in society. Nor is the Utilitarian attack on literary or 'liberal' education the result of ingrained philistinism but of the awareness that the culture of a particular community must follow socio-economic reality.

On the other hand what was traditionally known as 'liberal' education, the Benthamites regarded not only as narrow and mechanical, but corrupted by a mercenary spirit. It does not consider how the pupil is to be most effectually taught what he is to learn, 'but by what means the greatest sum of money can be obtained from the parents.' And as for the teacher, his mind is completely destroyed by the system: 'Grammar classes, scanning, flogging, the whole discipline might be administered by a steam-engine'.²² As for the Utilitarian system on the other hand, who can be a better commentator on it than John Stuart Mill, who actually underwent it in its most rigorous form? With all his later reservations about his father's system of teaching, John Stuart Mill emphatically says in his *Autobiography*: 'Mine, however, was not an education of cram... he strove to make understanding not only to go along with every step of the teaching, but if possible, precede it.'²³

No doubt, the educational thesis of the Utilitarians seeks to confirm and perpetuate the dominance of the industrial middle class and is based on the debatable assumption that the true interest of the 'lower ranks' lies in following the former, as they would themselves realize when their intelligence is set free by proper education. But, by its very nature, it is forced to admit that 'cultivation of intelligence' is important to all classes of people,²⁴ even in order that they may use it to acquiesce with the Capitalistic system, and although there may be 'degrees of intelligence' to be reserved for those classes who do not have to labour, intellectual activity need not be the fruit of a leisured

existence. Because they were speaking on behalf of a new order of intellectuals who would support the Industrial Revolution, it was necessary for the Utilitarians to assume a totality of intellectual activity at various stages of development throughout the new political-economic order. It was important for them to prove that they were but elaborating this objective reality.

Thus all men are said to be educable. '... That, at least all the difference which exists between classes or bodies of men is the effect of education, will, we suppose without entering into the dispute about individual distinctions, be readily granted. . . What-ever is made of any class of men, we may then be sure is possible to be made of the whole human race. What a field for exertion ! What a prize to be won !'²⁵ Here we have, at least ostensibly, an egalitarian approach to education. Its aim is to demonstrate to the layman that what concerned the intellectual concerned him as well. Division and subdivision of labour in an industrial society confines the attention of the labourers 'to so small a number of objects and so narrow a circle of ideas, that the mind receives not that varied exercise, and that portion of aliment, on which almost every degree of mental excellence depends.' Steps should be taken therefore 'to counteract those effects which the simplification of the manual processes has a tendency to produce.'²⁶ A labourer can be a good labourer only when he can exert his intelligence beyond the limits of his vocation.

In 1833, a Society for the Diffusion of Moral and Political Knowledge for the benefit of working classes was organized by Hume, Grote, Place, Roebuck and Warburton. Roebuck's explanation of the purpose of this society is derived from the same educational ideal as James Mill had : "They who toil may think and be so instructed as to be capable of taking a useful as well as an active part in politics. I do not mean by this that the mechanic is to turn legislator . . . But I seek to make him an instructed and careful witness of the legislator's proceedings : to give him, in the last resort, a control over the legislator's conduct, and, by instructing, render him capable of truly appreciating it . . . " Lord Brougham's Society for Diffusion of Useful knowledge, by contrast, is said to aim 'merely at recreation.'²⁷

Absorption of useful information is necessary, but not enough ; it is understanding of politics which makes a complete man.

If 'culture' means the proper development of all the different sides of the human mind, the Utilitarians cannot be said to have been oblivious or hostile to it. The idea has gone around, with the help of J. S. Mill's *Autobiography* that the Utilitarians underestimated the value of feelings and therefore, of literary culture. Firstly, as Raymond Williams points out to take this stand is to make literature a substitute for feelings.²⁸ Actually, literary culture need not be co-extensive with what Mill calls the cultivation of feelings though in Mill's own case it may have been so. Secondly, 'to say that in their scheme of education, and consequently, in their scheme of bettering the lot of human beings, the Utilitarians could find no use for the feelings of benevolence and sympathy, is to accept a traditional valuation of certain feelings as being permanent and universal, when it is, in fact, the product of particular socio-economic conditions. Mill on reading Wordsworth's poetry, came to understand the value of the pleasure of observing natural beauties and of tranquil contemplation. But, there is no reason (except subjective ones in Mill's case) why these feelings should be thought to be any more conducive to benevolence and sympathy for the rest of mankind than what Mill called his earlier 'zeal for speculative opinions.' An awareness of the injustice of the world and of the need to change existent conditions may quite conceivably come to one as a result of hard thinking. After all, the statement that these feelings, connected with the beauties of nature, could be shared in by all human beings . . . had no connection with struggle or imperfection, but would be made richer by every improvement in the physical or social condition of mankind'²⁹ was but an arbitrary assumption, no less arbitrary than to think as the Benthamites did that by supplying proper guidance to the feelings, the self-interest of the individual could be merged in the general interest of the community. Therefore, just because some particular feelings, which Mill thought literary culture had awakened in him, finds no special importance in Utilitarian philosophy, it cannot be concluded that the latter

was narrow, one-sided and unconditionally hostile to literary culture.

The foundation of *Westminster Review* in 1824, was the most concrete effort on the part of the Utilitarians to lay down the tenets of a new culture, a new intellectual life which would truly represent the socio-economic reality. The other major periodicals of the time were not less politically inclined than the *Westminster*. The famous crusade in *Blackwood's* against the 'Cockney school,' with the *Quarterly* following suit, is nothing less than an attack against the politics of Leigh Hunt. Similarly, when *Edinburgh* labelled W. S. Landor as a 'literary Jacobin,' they assumed that his temperamental and verbal extravagance followed from the extravagance of his political opinions.³⁰ But what was new about the *Westminster* was that with them politics was explicitly the important criterion in judging literature, while in the periodicals mentioned above the more immediate reasons of displeasure are said to be 'bad taste' 'low breeding' or 'an inordinate, restless, incorrigible self-love,' even though these are assumed to be linked with political error. In other words, in the *Radical Review* the act of reviewing is openly and consistently emphasized to be an aspect of political activity. The limitation of the Utilitarian approach happened to be that politics as a criterion of judging literature took them only so far as their critique of the establishment went. But the strength of the *Westminster Review*, in its early years lay precisely in that political activity, as a concept, was immensely enriched by their attitude and became capable of incorporating into it literary culture as well.

G. L. Nesbitt, in his valuable study of the first twelve years of the *Westminster Review*, rightly affirms that the Utilitarians were not just destructive in their approach to literature. They wanted 'a New Literature to fit the New Man in the New Age'.³¹ He points out as well that the *Westminster's* programme established 'a very close connection between politics and something broader'³² the concept of the good life as a whole, literature included.' This, in fact, is the most important point about this



Review. But, at the same time, Nesbitt seems to feel that this attempt at integration was a deviation from Utilitarianism rather than its natural course. This is because he takes for granted the old stigma attached originally to Utilitarianism by 19th century liberals as the philosophy of the 'merely business part of the social arrangements'. The 'stern' Utilitarian line of Bowring 'charted according to what he called simplicity' and 'representing the path of the ordinary middle-class individual during the rest of the century' is contrasted with J.S. Mill's line representing 'the path of the leading intellectuals of the same period'.³³ All that this ordinary middle-class individual wanted from the Utilitarian intellectuals was a 'philosophic justification for getting rich', and having found that in the doctrine of effort, he ignored the demand made by Utilitarians for 'high intellectualism and devotion to clear thinking'.³⁴

It is not very clear what exactly the objections of the Mills against Bowring were. But what evidence we have seems to suggest that they did not find him intellectually and morally rigorous enough to run a Utilitarian *Review*. It is indeed true that after the Mills washed their hands of it, the *Review* lost much of its analytical zest and became repetitive. But even if it is admitted that Bowring tended to vulgarize Benthamism, it does not follow that vulgarity, i.e., a simplistic mentality, was to be naturally associated with the 'stern' Utilitarian line. Rather, because they represented a new stratum of intellectuals upholding a new mode of production, it was important for the Benthamites to undertake traditional intellectual activities, to which in earlier times lawyers, statesmen, divines and classical scholars had had exclusive rights, and to emphasize the intimate correlation between the intellectuals and the layman, and the Utilitarian *Review* is nothing if it does not manifest this awareness. If the 'leading intellectuals of the period' (by which Nesbitt obviously means leading middle-class writers) felt separated from the 'ordinary middle-class individual' the fault can hardly be laid at the door of the Utilitarians. At the time when the *Review* was founded, all of them, in fact, were trying, though in vain to counteract this separation.

Again, it is altogether a different question that most of the leading authors of the nineteenth century generally felt hostile towards the Utilitarians. They have been damned by Carlyle, the Coleridgeans and Mathew Arnold for supplying the 'ordinary middle-class individual' with a philosophic justification for his rapacity. But all such condemnations proceed from the assumption, that the writer who is condemning, has a certain autonomy. He is not involved in, and is above the socio-economic system which he is condemning. As an assumption, it is as good as any other ; but it skirts around the vital issue implicit in the Utilitarian point of view, that all literature, critical and imaginative, is but a form of man's socio-political activity. It is true that one evil of the Capitalist system is that it encourages acquisitiveness and a ruthless spirit of competition as norms of human behaviour, and the Utilitarians accepted this as being in the order of nature. But to attack this most immediately as a writer, one has to proceed from the Utilitarian premise mentioned above ; to emphasize the writer's independence of his social and political surroundings is to elude the issue. That the Utilitarian treatment of the intellectual and cultural side of human life, was not congenial to the leading authors' of the time does not prove that the problems which they raised about it were non-existent or unimportant.

In the first few years of the *Westminster*, the study of literature is seen as the continuation of political activity at various levels. At one level this takes the form of ideology hunting in authors who claimed to be politically neutral. Of course, as the examples given in a previous paragraph from other eminent periodicals of the time reveal, the failings of authors who were considered to be subversive, were quite commonly traced to their political errors. Again, Hazlitt's treatment of Coleridge and Southey in his *Spirit of the Age* illustrates that the idea of political capitulation destroying literary inspiration was used by non-Utilitarian Radical critics as well. But in all these instances, politics is regarded as an accidental force operating from outside upon the author's life, whereas in the *Westminster*, the ideological element in literature is regarded as

something integral, permeating every word used, so that everywhere one can find implications about the author's relationship with the structure of power in society. For example, a *Westminster* reviewer could consider himself a proper literary critic while saying: 'Our chief object in this paper has been to point out the political bearing of Mr. Schlegel's literary history—his Catholicism leading to belief in legitimate monarchy and an infallible hierarchy.'³⁵ The important point here is that even in a review of a work on literary history, a consideration of the writer's political opinions is professed to be relevant, the reviewer hold that judgments passed on such a work cannot exclude an assessment of these political opinions as well. But, unfortunately, here the investigation stops. No indication is offered as to how the implicit politics in Schlegel's work affects his research into literary truth.

How a writer's political inclinations affect the literary merit of his work is much more difficult to determine in the case of imaginative literature. Here again we find the *Westminster* reviewers starting with an important and interesting assumption: that literary judgment cannot exclude a consideration of the implicit politics in a work of art. But they fail to work out a coherent literary theory from this. In the review of Walter Scott's *Woodstock*,³⁶ it is pointed out that 'Upon the strength of some political remarks which he anticipates "will please neither Whig, nor Tory", the author has insinuated a claim to be thought impartial'. But, in fact, his method 'though indirect is much more effectual' than direct propaganda. The reviewer's contention that 'the poor roundhead is at the absolute disposal of his maker and must reflect and reason exactly as the author would have him' is an attempt to derive literary judgment from a consideration of Scott's political leaning. The *Westminster* reviewer was right in pointing out that no imaginative literature is innocent of the author's ideology. But while he offers this as an explanation of his limitations, he does not even attempt to explain Scott's literary greatness in a similar way—politically.

Limited as it is, the critical method of the *Westminster* is



most effective in the case of minor writers raised to temporary popularity by a section of the reading public by virtue of some shared conventions in literary and political thinking. For example, in an article on the poetry of Letitia Landon³⁷ the reviewer deplores the patronizing attitude of other periodicals, particularly the *Edinburgh* towards women as writers. It is cogently pointed out that to give a woman a special quota of admiration merely for being a writer is actually to undercut her claim to be taken seriously as a writer. Then he proceeds to show, while ostensibly exalting the softer sentiments of love, kindness and courtesy, L. E. L.'s poems in fact implicitly support a 'pernicious' morality glorifying war. The value of this kind of criticism lies in that it refuses to take established conventions in literature at their face value. If the attack were merely directed against Miss Landon, the reviewer might be accused of trying to break a butterfly on a wheel. But what he very incisively points out here is how apparently innocent literary conventions which people accept unquestioningly even from minor writers tend to reinforce and perpetuate established ways of looking at life itself.

Another aspect of Utilitarian criticism of literature comes out in the repetition of the demand that the writer must have what the Utilitarians considered to be the right political opinions. This might even come to touch absurdity when in the review of Landor's *Imaginary Conversations*,³⁸ the writer who already possesses a 'highly poetic imagination' is exhorted also to be 'scientific', that is to acquire sounder principles on government and more extensive views on political economy. But what is interesting in this is that it contradicts the established point of view that, the Utilitarians were necessarily hostile to imagination as opposed to analysis, and secondly, it does not assume that the author thinks rightly by virtue of his being an author. In order to achieve an access to the right opinions, the author has to work in the same way as any other man. Since the faculty of writing is seen only in relation to specific social and political areas of life as a cognitive faculty, the need for the author's being politicised is confirmed.

The writer must exert his analytical powers even when he is engaged in imaginative writing, and try to discern the right from the wrong views, choose the one and reject the other. This is what the younger Mill means when he uses the epithet 'moral' to distinguish Voltaire from Shakespeare and Scott.³⁹ In a long polemical passage, Mill protests that the *Edinburgh* takes the name of 'morality' in vain. Its implied attitude that 'morality will never be understood better than at present, that morality will never be practised better than at present' is but an expression of its allegiance with sinister interest. Because of this moral depletion, the *Edinburgh* idolises Shakespeare and fails to point out that Shakespeare as well as Scott, its other idol, frequently compared with Shakespeare, showed 'no decided leaning between virtue and vice'. To Johnson must go the unfortunate distinction of making current the idea of Shakespeare's amorality. As to whether Mill's preference of Voltaire to Shakespeare was justified depends ultimately on a personal, and therefore arbitrary, criterion; it may indeed be said that his father's failure to appreciate Shakespeare may have prejudiced Mill against Shakespeare early in his life. But what is important here is that the morally non-committal attitude in authors which the *Edinburgh* seems to commend is completely unacceptable to Mill. Not only must the writer exercise his intelligence in order to acquire the right opinions, but he must make his affiliations explicit. Both here, and in the review of *Imaginary Conversations*, the implication is that this is not only compatible with, but indispensable to the pleasure-giving function of literature.

But the contradiction in Utilitarianism comes out here. Literature, being a pleasurable mode of communication must also be politicised so as to realize the utmost utility that it can yield. But even from the very beginning, this fuller measure of utility tends to become separated from pleasure. A rift often appears in the critic's thinking between the useful and the pleasure-giving aspects of poetry. Thus in the article mentioned in the previous paragraph, J. S. Mill accuses Shakespeare of not being 'as useful as agreeable'. This implies that Mill is unable to explain



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Shakespeare's 'agreeability' by criteria which are related to those employed to measure his usefulness.

This split in the *Westminster's* approach to literature is indicated in the review of the novel *Truth*.⁴⁰ According to the reviewer, the moral or doctrinal novel is found to be less perfect in the 'execution of imitation' than the novel of mere amusement. The didactic novel is of course important: 'It is good that all opinions be frequently discussed, ventilated, and canvassed, and it matters little how the discussion is carried on, whether in professed treatises, or in novels'. But an extra aesthetic value is attached to novels of mere amusements which it is suggested have no doctrinal content. This is a deviation from the Utilitarian systematisation. Amusement and dissemination of opinion are supposed to be separate goals pursued in different novels. The comprehensive view of the utility of literature is lost.

This defect makes itself felt most acutely in Peregrine Bingham's review of Moore's *Fables for the Holy Alliance*.⁴¹ In this article Bingham made the comment which has earned notoriety as the very epitome of the philistinism of philosophic radicals: 'Mr. Moore is a poet, and therefore is not a reasoner'. It is true that Bingham was talking of a poet whose 'whig-aristocratical' learnings had made him the favourite whipping-boy of the *Westminster*. Bingham said that out of the totality of particulars which form the consecutive logical steps in arriving at the correct conclusions on any subject, poetry only chooses those which are 'calculated to affect the imagination'; however he found this objectionable only when 'indulgence in sentimentality and indisposition to reason' impelled the author to express sentiments incompatible with 'justice and the best interests of mankind'. All this is meant to condone the natural non-rational way in which the poet's mind is supposed to work. But the very supposition involves a shift from the original Utilitarian position: 'the poet ought to know' to the position that 'the poet cannot know'. It assumes a natural incapacity on the poet's part to reason which exempts him even from the responsibility of exercising his reasoning faculty as a means to knowledge.

Underestimation of poetry cannot be said to be the rule in

the *Westminster*, but rather the exception. The only thing is that, in its early years an effort was made to assign poetic and literary activity its proper place in a total view of human activity, instead of regarding it as separate and aloof. Bingham's statement on poets, was not typical of the strength of this effort, but only of its deficiency.

In his review of the *Poetical Works of Coleridge* in 1830,⁴² however, Bowring seemed to retract the very words of Bingham written six years earlier: 'Produce who can the name of any first-rate poet who was not a sound reasoner'. It is also claimed that there is no reason why the Utilitarians should not be poetical because they are logical. Bentham's power of 'material illustration' argues that he is a poet no less than a Utilitarian; while Coleridge is a 'greatest happiness' man; who 'writes under the controlling and dictating power of truth and nature, under the inspiration of his own profound convictions and emotions'. While as a prose-writer, Coleridge has the conservative axe to grind, in his poetry his thoughts and feelings 'spontaneously' assume 'melodious words'.

But if Bingham's disparagement of poetry is a symptom of the incipient defect of the Utilitarian argument, Bowring's attempt to gloze over the differences between Utilitarian and imaginative writing shows Utilitarian philosophy in its decline. Whereas formerly the Utilitarian philosopher had considered it to be perfectly within his rights to think out the tenets of all forms of intellectual activity, literary and poetic activity included, now he holds the poet in deference, assuming that if no one meddles with the poet, he will reach the truth by his own methods 'spontaneously'. The assertion of a 'mutual affinity' between reasoning and imaginative faculties is but derived from a consciousness of separation between the two, which had not been there previously when the *Westminster* reviewers had considered it normal for the poet to exercise his reasoning faculty like any other man in order to know the truth. The idea of the autonomy of poetry and all imaginative literature, which would be elaborated by Mill, is foreshadowed here in Bowring's article. It makes evident the breaking down of Utilitarianism under its own defects.

The call which the *Westminster* in its early years gave to the writers to be scientific, to be philosophical, presupposes a respect for the intelligence of the expected audience. In fact, this is revealed all the time in the Utilitarian arguments on behalf of a liberated press. While James Mill protests against the early indoctrination of children through the Church and the educational institutions, which tends to stifle the spirit of enquiry,⁴³ his son, attacking the libel law as a restriction on the press, deplors the basic assumption of the protagonists of it: 'the incapacity of the people to form correct opinions'.⁴⁴ Continuous discussion and free circulation of opinions is called for. With so much faith in the people, it is natural that the problem of the writer's isolation from his audience, which is so important for Carlyle and which Arthur Hallam's crucial critique of Tennyson's poetry in the *Englishman's Magazine* (1831) emphasizes, does not seem to bother the earlier Utilitarians.

In the review of Montgomery's *Pelican Island*, (October 1827, vol. VIII, no. 16, Art. II, p. 309-313) Wordsworth and Shelley are said to be the reverse of popular poets. But the reviewer also asserts that their greatness does not mean that anyone branded as a 'mob-poet' by literary aristocrats is no poet at all. To say that Montgomery is popular is no disparagement of his poetic abilities. No doubt, when the Utilitarians spoke of the people, they meant the middle class pre-eminently. But as in their democratic attitude towards education, theoretically they had to be much more progressive than their class-interest actually allowed them to be.

If the evidence of J. S. Mill's *Autobiography* is to be trusted, his dissatisfaction with the Utilitarian doctrine, handed down by his father and Bentham, started in Autumn 1826. But his suspicion that Utilitarianism was taking the form of mere sectarianism has a longer history. He remembers reading Condorcet's *Life of Turgot* as an experience which cured him of his 'sectarian follies': 'The two or three pages beginning "Il regardait toute secte comme nuisible", and explaining while Turgot always kept himself perfectly distinct from the Encyclopedists, sank deeply into my mind. I left off designating

myself and others as Utilitarians, and by the pronoun "we", or any other collective designation, I ceased to *afficher* sectarianism'.⁴⁵ He also speaks of the beneficial influence on him of John Austin who 'from the very first set himself against the prejudices and narrownesses which are almost sure to be found in a young man formed by a particular mode of thought or a particular social circle.'⁴⁶

On the other hand, Mill's criticism of Utilitarianism remained unexpressed until 1833. It was in an unsigned article, not republished in Mill's lifetime, attached as *Appendix B* to Bulwer Lytton's *England and the English* and called *Remarks on Bentham's Philosophy* that Mill first gave voice to his reaction. Later in 1836, when with the financial help of Moleworth, Mill bought over the *Westminster* from Perronet Thompson, and amalgamated it with the *London Review*, his motive was twofold: firstly, 'to give more effectual aid, and, at the same time, stimulus', to the 'philosophic radical' party, at least twenty of whom were members of the parliament at that time, and secondly, to reconcile the new philosophic radicalism that is, his 'own shade of opinion' with the old one.⁴⁷

But by 1840, the hope of the Radicals of bringing the liberal Whigs over to their own side and thus forming a 'popular' front against the Tories and those Whigs who were opposed to further political reform, had dwindled to nothing. Lord John Russell's 'finality' speech in 1837 made it clear that the Whigs considered the Reform Act to be the end and not the beginning of democratic reform. As the Chartist movement tended to break all ties with middle class Radicalism, the talk of giving leadership to the 'people' became less real. The death of Lord Durham in 1839 dashed Mill's hopes of persuading him to be the leader of the Parliamentary radicals. The redoubtable Roebuck alone kept on talking, as late as 1839, in the same vein as he and his associates had done in 1835, in the *Pamphlets for the People*, of the support of 'the great masses of the population' behind the Reform policy of the Radical. He was still urging the Radicals to come to a show-down with the Whigs, because only the fear of the 'people' withdrawing their consent

from the government could ensure liberal measures from the Whigs.⁴⁸ The other philosophic radicals were already either in despair, like Grote who wrote to Austin⁴⁹ of the uselessness of attending the Parliament nightly 'for the simple purpose of sustaining Whig Conservatism against Tory Conservatism', or conciliatory like the writer of the pamphlet: 'Shall we overturn the coach? Or what ought the Radical to do?' (5th April, 1839) in which Grote is urged not to make a break with Whigs. With the decline of the parliamentary radicals to whom *London and Westminster Review* had partly been addressed, Mill lost interest in the Radical periodical which consumed so much of his money and energy. In 1840, he sold it, at a nominal price, to W. E. Hickson and Henry Cole. The period 1833-40 may therefore be taken as the time when Mill's tension with the philosophic radicals was at its height and also when he was trying to reach a readjustment with Benthamite philosophy.

Even in recent studies of J. S. Mill, the myth created by the *Autobiography* about the Utilitarian exclusion of literary culture and Mill's complete blindness to this until 1826, persists. Because during an acutely personal mental crisis, Mill found consolation in the idea of self-culture derived from Wordsworth's poetry and from the 'innate principles' theory of his Coleridgean friends this is stated objectively and universally to be the sole way out of the Utilitarian Slough of Despond. Thus in Gertrude Himmelfarb's *Victorian Minds* (1968), the 'other John Stuart Mill', the Mill who reacted against Benthamism is said to be the more important John Stuart Mill. But the question is not the metaphysical one of which was the more 'real' Mill and which the less 'real', but what was the significance of the contradictions which appear in various forms in Mill's philosophic standpoint at different stages of his life. Miss Himmelfarb's study fails to answer this question not only because she starts with an unnecessarily low opinion of Utilitarianism, but because Mill's 'partial return' to Benthamism, his socialistic tendencies said to be inspired by Harriet Taylor, and the 'individual liberalism' expressed in *On Liberty*, are not sufficiently distinguished from one another

or from his earlier Utilitarianism, but regarded as a single retrograde force dragging Mill back to his spiritually poor origin.

In Parvin Sharpless' book on the literary criticism of Mill, the contradictions are accepted. But the thesis which the book presents is that Mill failed in his search for the philosopher-poet, the man who balances emotional sensibility with intellectual power because 'Mill attempts to find a justification for literature and poetic feelings without altering either his absolute adherence to the epistemology of the experientialist philosophy [i. e., Utilitarianism] or his opposition to intuitional metaphysics'.⁵⁰ Actually, it is not the lack of 'intuitional metaphysics' that makes Mill's concept of the 'philosopher-poet' a failure; this is rather because, having said that the truths arrived at by the poet are intuitive truths, Mill negated the relationship between poetry and the social and political life of man. His 'philosopher-poet' fails to convince because he is supposed to stand in a total vacuum.

It was not a liberalisation of Benthamism that Mill achieved; he merely evaded the issue raised by the Benthamites. The major advance which Mill made upon the other Utilitarians was that he revealed one of their basic assumptions—faith in a market economy, and of exchange value as the sole value of all human labour—to be questionable. But as C.B. Macpherson points out, J. S. Mill 'the founding father of liberal-democratic theory... was able to rise above the market-morality only because he did not understand the market society'.⁵¹ This explains why in his later years, while he was, to the alarm of fellow-Utilitarians, growingly sympathetic to Owenite and Fourierist schemes of co-operatives and translation of wage-labourers into small capitalists, Mill's views on 'culture' develop more and more into elitist separation. The effort to enlarge the Utilitarian system ultimately leads to a bifurcation of interests and disintegration of the system.

This shows itself in yet another way. Mill's criticism of the philosophy of his father and Bentham often takes the form of an attack on their methodology in social science.

But while recognising the limitations of applying a purely

deductive method in social science Mill never became a pure empiricist either. Even the positivistic method of Comte, as supported by Mill when applied to social science, takes the framing of general laws to be its ultimate end. But Mill's attempt to combine evidence of experience with the deductive method coincided with empiricism gaining favour in England as a method in politics and social science. Erstwhile admirers of Utilitarianism sometimes accused the system of having introduced fanaticism in English politics, and in doing so appealed to the pragmatic character of the English constitution as a contrast.

But one may point out that in the 1830's and 1840's, theorisation was never really a taboo among the conservative school in politics either. As Halévy says, around the time of the French Revolution both conservatives and Republicans had spoken the language of utility, but in the course of the next thirty or forty years, as the Utilitarians became democrats, the reactionaries became 'metaphysicians' seeing in society an entity distinct from the individuals composing it. Halévy was obviously thinking of Coleridge and the Coleridgeans. The kind of theorisation which they promoted in political and social thinking was certainly not condemned by the conservatives on that ground. On the other hand, as Dickens' caricature in *Hard Times* implies it was not uncommon to criticise Utilitarians for their blind devotion to 'facts'. This only proves, however, that, in reality, it was not the deductive method supported by Utilitarians that was being criticised in the 1830's and 1840's but the democratic conclusions which followed from it.

It is important to emphasize this because this 19th century myth about Utilitarians, that it was their 'ideological approach to politics' which ensured their failure as politicians, still seems to persist, as in Joseph Hamburger's book on the political career of the Utilitarians.⁵²

Unlike this modern historian of Utilitarianism, J. S. Mill never shied away from the idea of systematisation. He frequently points out the uselessness as a term of abuse of the term 'theoretician'. But, at the same time, he seems to think that the time for systematisation had not arrived. In 1829 and

1830, Mill became acquainted with the writings of the St. Simonian school. It is significant that in the philosophy of this school, the idea of alternating 'organic' and 'critical' periods in history should immediately appeal to him. In *The Spirit of the Age* written (January 6—May 29, 1831) for the *Examiner* and said to be the most direct product of the St. Simonian influence on Mill, this idea is employed to explain the immediate present. It is said to be a 'critical' period, consequently a period of 'intellectual anarchy'. No doubt, this chaos is seen as a step towards the establishment of a new intellectual system which will be universally acceptable and being still a 'firm believer in the improvement of the age', Mill might even hope that the new system will be a better and wiser one. But for the moment, 'no fixed opinions have yet generally established themselves in the place of those which we have abandoned; . . . no new doctrines, philosophical or social, as yet command, or appear to be likely soon to command, an assent at all comparable in unanimity to that which the ancient doctrines could boast of while they continued in vogue.'⁵³

So far as his own political opinions were concerned, Mill's feelings corresponded with this: 'If I am asked what system of political philosophy I substituted for that which I abandoned, I answer, no system: only a conviction that the true system was much more complex and many-sided than I had previously any idea of and that its office was to supply, not a set of model institutions, but principles from which the institutions suitable to any given circumstances might be deduced.'⁵⁴ Thus while Mill admitted the necessity of systematisation in political thinking, he thought it could only be arrived at by starting from 'no system'. Also it is implied that he was not looking for a system of political thinking, which would, of necessity, be relative to a particular set of social and political circumstances, but for 'principles' which since they are assumed to be applicable to 'any given circumstances' have to be too general to be political at all.

Mill perceived the drawback that in England 'the very idea of beginning a reformation in men's minds by preaching to them, a comprehensive doctrine was preposterous. Englishmen

habitually distrust the most obvious truths, if the person who advances them is suspected of having any general views.⁵⁵ The people, therefore might only be instructed on 'insulated points' about 'your mode of treating single and practical questions'. Mill was always to regard any scheme of improving the human lot primarily by changing men's minds through the right kind of indoctrination as chimerical. No pragmatist insisted more strongly than him that political and economic changes were initially necessary. But his reservations regarding 'comprehensive doctrine' reveal a breach between his concepts of theory and practice, and so far as the Utilitarian attempt to integrate the two is concerned, marks the point of no return. Besides, Mill's metaphorical description of truth as a shield which had a black and a white side⁵⁶ and his conviction that all existent systems must be sifted for grains of truth, so that they may be eventually combined to form the true system, merely serves to prolong the 'empirical period' and postpone theorisation, which might lead to practice. From this phase, Mill never seems to have emerged.

Under the circumstances mentioned above, the functions of different groups of intellectuals become specialized. Their separateness is stressed, but the problem of the co-ordination of their various activities for a common social purpose recedes to the background. The specialised knowledge of the political economist, for instance, presupposes a knowledge of the physical sciences and of ethics. But this knowledge consists in accepting what he is given by other specialists. Science must proceed by abstraction: 'Political Economy considers mankind as occupied solely in acquiring and consuming wealth...Not that any political economist was ever so absurd as to suppose that mankind was really thus constituted, but because this is the mode in which science must necessarily proceed.'⁵⁷ The very emphasis on abstraction implies that in this scheme of thinking, the different spheres of intellectual activity are mutually exclusive; the political economist must take for granted the conclusions of the moral scientist in the latter's own department, and vice versa.

This introduces a note of despair in Mill's writings: 'While

the philosopher and the practical man bandy half-truths with one another, we may seek far without finding one who, placed on a higher eminence of thought, comprehends as a whole what they see only in separate parts; who can make the anticipations of the philosopher guide the observations of the practical man, and the specific experience of the practical man warn the philosopher where something is to be added to his theory.⁵⁸ The various groups of intellectuals cannot by the very nature of their specific function, see all intellectual activity as a continuum; once this is postulated, it is only by devising a master-intellectual 'placed on a higher eminence of thought' that one can see a way out of the mutual exclusiveness of intellectuals. From time to time, Mill seems to have believed that the author alone qualified for this conciliatory job.

Though Mill states that the *London and Westminster Review*, during the years of his editorship was not run entirely according to his taste, significant differences are noticeable between this and the earlier *Westminster*. One important feature is that intellectual leadership is expected from the upper classes or at any rate, from some of their spokesmen, the 'philosophical Tories'. This tone is anticipated in a letter which Mill wrote a few years earlier, where he confessed that he had few common points with orthodox Benthamites while his disagreement with 'philosophic Tories' like Wordsworth was only on matter-of-fact or detail, and not on matters of principle.⁵⁹ Whereas the education of the 'middle ranks' had been of primary interest to the early reviewers, Mill's leading article in vol. XXVII (1836) of *London and Westminster* puts a tremendous value on the re-education of the upper classes. For the advance of democracy, their present flaccidity must be counteracted by holding out reputation and consequence and encouraging desert. Even the Radicals will benefit from fraternizing with those Conservatives who wish to restrain democracy 'only to make it flow more effectually'.

This leads, on Mill's part, to regression to a doctrine of a special education for the leisured classes and to a reassertion of the liberalizing virtues of a classical education. He would have classics and logic taught 'more deeply' combining this with

other studies 'more alien than any which yet exists to the "business of the world", but more germane to the great business of every rational being, the strengthening and enlarging of his own intellect and character. The empirical knowledge which the world demands which is the stock in trade of money-getting life, we would have the world to provide for itself . . .' Thus 'business of the world' is confined to the realm of the 'empirical' and divorced from higher intellectual activity. This latter becomes associated solely with the conservative view of education, with 'language and literature of antiquity', which are said to be 'tenfold more calculated to call forth the highest aspirations, than any modern literature.'⁶⁰

It is to be noted that quite a few of the literary heroes of the *London and Westminster* and particularly of Mill, at this time, were representatives of what in Mill's review of Alfred de Vigny is called 'Conservatism disenchanted'. Richard Monckton Milnes in the review of his *Poems of many years*,⁶¹ is praised for his Coleridgean Toryism, which does not stint at criticising the establishments of Church and State for their corruptions, but aims to save the Church and the Aristocracy, by making them really what they pretended to be. It was the 'Conservative Republicanism' of Armand Carrel, editor of the *National*, which impressed Mill when he met the former.⁶² In the review of Vigny, Mill regards both Vigny and Tocqueville as more than mere 'products' of the French Revolution of 1830.⁶³ They assert intellectual independence against the deterministic forces of history, through a conflict between a Royalist education and the 'spirit of the modern world', that is, the spirit of democracy. 'Unable to satisfy themselves with either of the conflicting formulas which were given them for the interpretation of what lay in the world before them they learnt to take formulas for what they were worth, and look into the world itself for the philosophy of it.' Whereas 'empirical knowledge' necessary to conduct the business of the world is downgraded, the capacity which these authors are supposed to have 'to look into the world itself' without the help of 'formulas' is implicitly regarded as true pragmatism.

'Conservatism disenchanted', 'speculative Toryism', 'Conservative Republicanism'—for Mill, all these are politically neutral terms. But when 'speculative Toryism' is completely isolated from 'practical Toryism' as in Mill's thought,⁶⁴ its political implications are in fact being ignored, so that the personal aspect of it may be stressed.

The belief in the efficacy of the established institutions of Church and Aristocracy Mill never professed to share with the 'philosophic Tories' and his Coleridgean friends John Sterling and F. D. Maurice. But he affirmed his agreement with and respect for their 'reverence for *government* in the abstract', their basic principle that 'it is good for men to be ruled, to submit both his body and mind to the guidance of a higher intelligence and virtue.'⁶⁵ This statement of principle, however, can only have any meaning as part of a specific political doctrine, here, the Tory doctrine. Abstracted from that context, it may express the dissatisfaction of an individual with that doctrine, but advances neither the cause of a new formulation, nor reconciliation with the radical doctrine. Such abstraction is psychologically plausible but logically untenable.

The basic contradiction in Mill's outlook on the social and political role of authors is expressed in that on one hand, they are supposed, through their apparent disinterestedness, to be capable of giving intellectual leadership to the majority; on the other hand, however, this disinterestedness is seen as the product of what is really the culture of a leisured minority. The gap is bridged only by the assumption that this culture of disinterestedness may eventually be shared by the whole community. In the famous passage in the *Autobiography*, already quoted from, where Mill expresses his indebtedness to Wordsworth's poetry, he thus takes it for granted that the 'feelings which he would, in fact, *like* to be cultivated by the generality of mankind, *are* universal, a priori emotions. This statement corresponds to the footnote added by Mill to his father's assertion in *Analysis of the Phenomena of Human Mind*⁶⁶ that the pleasure said to be derived from the contemplation of the Sublime and Beautiful arise from associations and not from

any inherent quality in the objects. Mill disagrees with this and referring to Ruskin's *Modern Painters* (vol. II) suggests that some of the ingredients in the pleasure are universal, and therefore must be a priori. But on this point, it seems to me that the father's view is more acceptable than the son's. If what the latter says means that people quite often respond strongly though in different ways, to objects of nature and art, it is a truism. But as soon as this response becomes specified by the particular concept of sublimity it becomes incorporated into a structure of associations which are cultural rather than inborn. Moreover, in the passage in the *Autobiography*, we have the paradox that a man can be interested in the 'common feelings' and therefore the 'common destiny' of mankind more deeply when he is isolated, engaged in 'tranquil contemplations.'

Mill was partly aware of this contradiction. In many of his writings in the 1830s, particularly, in *London and Westminster Review*, one finds him emphasizing the need to recognize the close connection between politics and literature, even imaginative literature. In a letter to Carlyle⁶⁷ while describing his own function in society as that of a 'logical expounder' he says about his newly-acquired friend: 'You I look upon as an artist and perhaps the only genuine one now living in this country; the highest destiny of all lies in that direction; for it is the artist alone in whose hands Truth becomes impressive, and a living principle of action'. It is basically social and political action that Mill was here thinking of. Again, in his article on Armand Carrel, Carrel's kind of journalism is praised on a similar ground: 'The true idea of Carrel is not that of a literary man, but of a man of action, using the press as his instrument'.⁶⁸ In the article on Vigny, Mill laments that 'worldly advancement, or religion are an Englishman's real interests: for Politics, except in connection with one of these two objects, and for Art, he keeps only bye-corners of his mind, which naturally are far apart from each other'. The French are favourably contrasted with the English: 'Where both politics and poetry, instead of being either a trade or a pastime, are taken completely *au sérieux*, each will be more or less coloured by the other; and that close relation

between an author's politics and his poetry, which with us is only seen in the great poetic figures of their age, a Shelley, a Byron, or a Wordsworth, is broadly conspicuous in France (for example) through the whole range of her literature.'

But the concept of the author as a political man which is expressed here, is widely different from that in the earlier *Westminster Review*. For the latter, being political in the author's case means to belong consciously or unconsciously to an ideological system which would place the activity of the author against the perspective of his communal life. Thus an author may have a true politics or a false politics, but it would be impossible for him to be non-political. For Mill, however, the author's politics arises *not* from his participation in any ideological system, but from the creative act itself. An author is political only by virtue of his being creative, that is non-political.

Mill's growing respect for Carlyle as a philosophical writer in the early 1830's was derived from the idea that a creative person, by his very nature, as a special power of intuitively perceiving the 'highest' truths, which apparently include truths of a social and political nature. With this is connected a second assumption that the more creative, imaginative, or poetic the writer is, to the multitude, his writing would be 'nothing but dreaming or madness'.⁶⁹ Therefore logicians or metaphysicians are wanted to expound the mysterious utterances of the poet to the majority of the people. 'The vates himself has often been misunderstood and successfully cried down for want of a logician in Ordinary, to supply a logical commentary on his intuitive truths.' Mill, in his natural modesty, saw himself as the 'Logician in Ordinary' in relation to Carlyle. Much later, Carlyle was to return the compliment in his own fashion by describing Mill's editorship of the *London and Westminster* as 'sawdust to the mast-head, and a croakery of crawling things, instead of a speaking by men . . .'⁷⁰

But in 1837 when Mill reviewed Carlyle's *French Revolution* for the *London and Westminster* he was still no doubt seeing himself in the role of the 'Logician in Ordinary'. What he had earlier written to Carlyle is reflected in the very tone

of the review: 'This is not so much a history as an epic poem; and notwithstanding or even in spite of this, the truest of histories.' No doubt, Mill also praises the 'qualities of the day-drudge' which Carlyle combines with his imaginative power; at the same time he criticises, like any good Utilitarian, Carlyle's aversion to formulation. But the predominant note of the review is quite different. Carlyle is said to have appropriated and made his own 'nearly all that is good in all these several manners of thinking'—Whig, Tory and Radical. *Ergo*, 'in a history upon the plan of Mr. Carlyle's, the opinions of the writer are a matter of secondary importance'. In this way, firstly, the intuitive truths arrived at by the author are implied to be of an order altogether superior to and beyond the social and political consciousness which exists at some stage of development throughout the community. Secondly, if imaginative writers need logical expositors to unfold the political perceptions which though secondary, are latent in their writings, so that they may not be misunderstood by the community, there has to be an immense proliferation of intellectuals. And the expositors who proliferate do not ultimately justify their existence by finding and propounding social and political truths jointly with the poet, but by offering apologia for the writer's isolation and 'transcendentalism' of style as Mill did in his review of Carlyle. Inevitably, 'poets' and 'logicians', are meant to occupy themselves in jointly upholding the mysterious superiority of the former's inspiration.

The climax of this belief in the writer's independence is reached in the two articles on poetry published in the *Monthly Repository* (January and October 1833).⁷¹ The distinction between the first grade writer and the second grade writer, the creator and the expositor, which is made in the letters to Carlyle, is expressed much more decisively in these articles which deal specifically with poets who are supposed to be the most imaginative of imaginative writers. Poetry, here, refers more to a quality of writing, whether in prose or verse than to a mode of writing. Mill's views about poetry are expressed in such statements as the famous antithesis: 'Eloquence is *heard*, poetry is *over-heard*.

Eloquence supposes an audience ; the peculiarity of poetry appears to lie in the poet's utter unconsciousness of a listener', and 'All poetry is of the nature of soliloquy'. Another way of stating the same sentiment is found in Mill's article on Vigny, where short poems are demanded, it being impossible that 'a feeling so intense as to require a more rhythmical cadence than that of eloquent prose should sustain itself at its highest elevation for long together'.

Unconsciousness of listeners, shortness necessitated by intensity of feeling, vagueness of expression contrasted with the prose-writer's supposed 'rigid accuracy'—all these add up to form a very specific and familiar image of the poet. The question of his basic deference from other men is clinched in Mill's article where being a poet is said to be a matter of constitution.⁷² No doubt, there may be poets of-culture as well as natural poets ; and Mill's illustration of the former is no less a person than Wordsworth. But it must be noticed that the poetic faculty, in abstraction is regarded as an almost unattainable ideal which different writers approximate to in different degrees.⁷³ It is a special power unconnected with all other forms of intellectual activity, unconsciousness of listeners, intensity of feeling, vagueness of expression—all these are taken to be the natural associates of this power and these concepts are used to confirm the poet in his isolation once and for all. The poet is no longer a species of intellectual in relation to the society to which he belongs. He is a creature mysterious and unclassifiable : he 'merely pours forth the overflowing of his feelings ; and all the thoughts *which these feelings suggest* are floated promiscuously along the stream'.⁷⁴ The poet becomes all-important ; what he thinks secondary.

No one denies that like any other artistic talent, the writing of poetry requires the fulfilment of certain specific conditions on the part of the poet. But these are technical and cultural rather than dictated by some inner principle within the poet : such as the usage or non-usage of a particular rhythmic pattern or stanza form, or the conjuring up of certain associations by the use or non-use of certain forms of speaking instead of others.

Mill's emphasis on the uniqueness of the poet's *mode of feeling* serves but one purpose ; to give the poet's utterances a value outside the social and political context which they could not have within it. It may even be said that intellection is rejected as a way of understanding poetry.

In the second of the two articles, however, Mill capitulates : although a philosopher cannot by culture, become a poet, 'a poet may always, by culture, become a philosopher'. As to whether a 'philosopher-poet' or, a 'mere poet' is naturally superior, Mill says : 'it would be absurd to doubt whether two endowments are better than one ; whether truth is more certainly arrived at by two processes, verifying and correcting each other than by one alone'. He deplores the state of education which 'consists chiefly in the mere inculcation of traditional opinions so that 'systematic intellectual culture' does more harm than good to the poet under the circumstances''.⁷⁵ But this is chiefly an after-thought, an additional qualification which the poet may acquire. It is the unique pressure of emotion which almost involuntarily leads the poet to true perceptions, philosophical cogitation follows and reinforces it. But the most important point is that the concept of the 'philosopher-poet' undercuts the Utilitarian concept of the author as a political man and of any philosophical system being political in content. The concern with the universal lot of mankind which the 'philosopher-poet' demonstrates is implicitly held to be something higher and purer than the content of mere political activity. The meaning of politics is degraded proportionately with poets and philosophers being isolated from other intellectuals.

Mill was repelled, even from an early stage, by the kind of elitism which he discovered in St. Simonianism and which years afterwards, culminated in Comte. In an early letter to Gustave D'Eichthal, his St. Simonian friend, Mill protests against the idea of an organized institution of intellectuals who would wield 'pouvoir spirituel' over society in conjunction with Bankers and captains of industry in whose hands economic and political power will lie.⁷⁶ He believed that, left to themselves, the

'first men of the age will one day join hands and be agreed : and then there is no power in itself on earth or in hell, capable of withstanding them'.⁷⁷ The Catholic Emancipation Bill was seen as a great sign of hope by the young Mill, a proof that in history 'the intelligent classes lead the government and the government leads the stupid classes'.⁷⁸ Comte's scheme of social reform included a corporation of philosophers who would have no political power, but absolute 'moral and intellectual authority. . . whose judgments in all matters of high moment will be deferred to as to the universal judgment of astronomers in matters astronomical'. Mill's view is that such ascendancy of intellectuals is salutary, but 'will come of itself when the unanimity is attained without which it is neither desirable nor possible'.⁷⁹ The only time he supported a 'guild of writers' was with the purpose of saving their integrity as writers from being swamped by the opinions of the majority.⁸⁰

But when in *The Spirit of the Age*, Mill talks of the 'first men', 'the most virtuous and best-instructed of the nation', 'the most cultivated minds which the intelligence morality of the times call to existence' his meaning is already different from that of the Utilitarians who would have meant by similar phrases the industrial middle class and the intellectuals who came into existence specifically to supply a rationale for its rise. Mill's view of intellectual leadership corresponds more closely to Coleridge's idea of a 'clerisy.' 'We are entirely at one,' says Mill, ' . . . with Coleridge's principle of an endowed class, for the cultivation of learning and for diffusing its results among the community.'⁸¹ Political affiliations and interests of this 'endowed class' is a problem which is tucked away under its appearance of classlessness and timelessness.

In *Principles of Political Economy*,⁸² Mill expresses the belief that with the progress of capitalism the status of hired labourers will tend to confine itself to those 'whose low moral quality render them unfit for anything more independent' and there will be partnerships of labourers among themselves and of labourers with the capitalist. A 'stationary state' of society will follow, exhibiting the following features : 'a well-paid and

affluent body of labourers ; no enormous fortunes except what were earned or accumulated during a single lifetime, but a much larger body of persons than at present, not only exempt from the coarser toils, but with sufficient leisure, both physical and mental, from mechanical details, to cultivate freely the graces of life, and afford examples of them to the classes less favourably circumstanced for their growth.'⁸³ Not only are we given here one of the most humane versions of a Capitalist Utopia, but also its inevitable adjunct, that complete severance of middle class intellectuals from what is called the 'coarser toils' and 'mechanical details' of life ; which would reinforce their image of political neutrality. In bringing out the latent contradiction in what the Utilitarians demanded of intellectuals in this respect and in asserting the need for leisure as a necessary condition of intellectual activity, Mill was, in fact, initiating authors and intellectuals to a new phase of the capitalistic society.⁸⁴

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This attitude bears some similarity to certain modern Marxist explorations of the problem of the social role of the intellectual, e.g., Antonio Gramsci's interpretation of the function of the intellectuals in society. Gramsci thinks that intellectual activity emanates from a totality of socio-economic relationships. In one sense, all men are intellectuals: *homo faber* cannot be separated from *homo sapiens*. But 'intellectuals', in a specific sense, are engaged in the 'critical elaboration' of that intellectual activity which is at some stage of development throughout the whole community. But Gramsci draws a dialectical distinction; there are 'organic' intellectuals, who are created together with a new social group connected with an emergent mode of production to give that social-group homogeneity and awareness of its own function in social and political, as well as in economic fields; and there are 'traditional' intellectuals who are already in existence being a survival from an earlier mode of production and seeming to represent a historical continuity. On the other hand, the Benthamites saw all intellectuals as eventually supporting a Capitalist economy—envisaged as more or less permanent. Gramsci's scheme has been used quite a lot in this essay. (Quotations from 'The Intellectuals', In: Gramsci, Antonio. *Selections from the prison notebooks*. London, Lawrence and Wishart, 1971. p.5-27.)

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22. *Ibid.* p.173-4.
23. *Autobiography*. p.20.
24. Cavenagh. *Op. cit.* p.60-61.
25. *Ibid.* p.11-12.
26. *Ibid.* p.46.
27. Roebuck, J. A., ed. *Pamphlets for the people* ; vol. I. London, 1835. p.9.
28. *Culture and society*. p.81.
29. *Autobiography*. p.89.
30. *Blackwood's*, October 1817 ; vol. II, no. 7. p.38-41.
Review of *Endymion*, in : *Quarterly*, vol. XIX, no.37. Art. VII. p.204.
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31. Nesbitt. *Op. cit.* p.96.
32. *Ibid.* p.67.
33. *Ibid.* p.173.
34. *Ibid.* p.93.
35. 1825 ; vol. III, no. 6. Art. II. p.332.
36. April 1826 ; vol. V, no, 10. Art. VI. p.45.
37. January 1827 ; vol. VII, no. 13. Art. II. p.62.

38. April 1824 ; vol. I, no. 2. Art. X. p.535-36.
39. April 1824. Art. VI. p.434-35.
40. April 1827 ; vol. VII, no. 14. Art. III. p.341-44.
41. January 1824 ; vol. I, no. 1. Art. II. p.21.
42. January 1830 ; vol. XIII.
43. Review of *Essays on the formation and publication of opinions*, in : July 1826 ; vol. VI, no. 11. Art. I.
44. April 1825 ; vol. III, no. 6. Art. I.
45. *Autobiography*. p.69.
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47. *Ibid.* p.120.
48. Mr. Roebuck's Democratic speech ; reported in : Hethe-
rington's *London Dispatch*, 1839.
49. February 1839. Quoted in : Clarke, M.L. *George Grote :
a biography*. Univ. of London, Athlone Press, 1962. p.60.
50. Sharpless, F. Parvin. *The Literary criticism of John
Stuart Mill*. The Hague, Mouton, 1967. p.9-10.
Also see : Alba H. Warren's article on Mill in *English
poetic theory : 1825-1865* (Princeton U.P., 1950). Here
again the contradiction in Mill's literary theory is
pointed out, but no explanation is offered.
51. 'Politics : post-liberal-democracy ?' In : Blackburn, Robin,
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52. Hamburger, Joseph. *Intellectuals in politics : John
Stuart Mill and the philosophical radicals*. New Haven
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53. *The Spirit of the age*. Chicago, Univ. of Chicago, 1942.
p.12.
54. *Autobiography*. p.97.
55. *Collected works* ; vol. XII, letter 29, dt, Feb. 1830, to
D'Eichthal. p.48.
56. *Ibid.* Letter 28. p.42.
57. 'Essays on some unsettled questions of political eco-
nomy'. In : *Collected works* ; vol. IV. p.322.
58. *Collected works* ; vol. IV. p.335.
59. *Collected works* ; vol. XII, letter 43. dt. Oct. 1831, to
Jhon Sterling. p.81.

60. More or less the same view is expressed in what may be called Mill's last public statement on education, the inaugural address which he delivered as the Rector of the University of St. Andrews on February 1, 1867.
61. 1838 ; vol. XXXI, no. 2. Art. III. p.313.
62. *Collected works* ; vol. XII, letter 91, dt. Nov. 25, 1803, to Carlyle. p.195
63. *London and Westminster*, 1838 ; vol. XXXI, no. 1. Art. I. p. 2-7.
64. *Collected works* ; vol. XII, letter 43. p.83.
65. *Ibid.* p.84.
66. Mill, James. *Analysis of the phenomena of human mind*. London, Longmans Green, 1869. footnote p.252-54.
67. *Collected works* ; vol. XII, letter 54. p.113.
68. *London and Westminster*, 1837 ; vol. XXX. Art. IV. p.68.
69. *Collected works* ; vol. XII, letter 78, dt. July 5, 1833, to Carlyle. p.163.
70. St. John Packe. *Reminiscences*. p.243.
71. *Dissertations and discussions* ; vol. I. p. 71.
72. *Ibid.* p.80.
73. *Ibid.* p.89.
74. *Ibid.* p.83. [Italics mine]
75. *Ibid.* p.91-94.
76. *Collected works* ; vol. XII, letter 28. p.40.
77. *The Spirit of the age*. p.33.
78. *Collected works* ; vol. XII, letter 24. p.27.
79. *Collected works* ; vol. X. p.313-14.
80. *London and Westminster* ; vol. XXVII, no. 1. Art. 1. p.19-20.
81. *Collected works* ; vol. X. p.150-51.
82. *Collected works* ; vol. III. p.769.
83. *Ibid.* p.755.
84. Since it is my intention in this essay to examine Mill's liberal views on literature and intellectual activity in general in the context of certain political and economic assumptions which they implied, it is inevitable to



refer to their relation with industrial capitalism. In Sir Isaiah Berlin's study of Mill ('John Stuart Mill and the end of the life' in *Four essays on liberty*. Oxford Paperbacks, 1969) a glowing tribute is paid to Mill's spirit of tolerance, his conviction that there should be room in the world for all kinds of opinions, and that 'collective mediocrity' should not be allowed to 'dwarf, maim, cramp, wither the human faculties'. The philosophical background of this conviction is said to be Mill's empiricism: 'he believed that no truths are—or could be—rationally established, except on the evidence of observation. New observations could in principle always upset a conclusion founded on earlier ones'. There can certainly be no doubt about Mill's intellectual honesty, his never-failing generosity and humanitarianism in championing the cause of the oppressed. It is also incontestable that the problem which Mill raises pertaining to democracy is both real and important. But all this is not enough to understand where Mill stands historically. One must examine the social, political and economic implications of the practice suggested by Mill and find out what kind of a total vision of society it supports. The 'individualist order' which according to Berlin, Mill offers as an alternative to 'a wholly socialized world where private life and personal freedom are reduced to vanishing point' becomes a meaningless paradox unless it is clarified what the organization of economic and political power would be in such an 'order'. Otherwise it is not an 'order', but only an individualist's wishful thinking. The empiricist standpoint which Mill upholds and Isaiah Berlin recommends is a major hindrance to such clarification.

THE GOVERNOR AND GURU

BY SUBIR RAYCHOUDHURI

The object of this paper is to trace the influence of Utilitarian ideas on the 'native' elite of Bengal in the nineteenth century. Although the doctrine of Utilitarianism was imported by the British rulers for their own interest, the Bengali intelligentsia's response was at first favourable. The idea of 'good government' and not 'self government' suited the purpose of both the rulers and the ruled. In spite of James Mill's virulent attack on Indian civilisation as a whole, the majority of the educated class was inclined to believe at that time that the British rule would ultimately do good in India.

Some of them went so far as to give whole-hearted support to Macaulay's 'root-and-branch policy with regard to Hindu culture'. In fact Macaulay was once regarded as the preceptor of Modern Bengal. John Stuart Mill also exerted a great influence on people like Vidyasagar, Bankimchandra, etc. But gradually they came to realise that if good government does not mean self government, it is a misnomer. For there can be no equality even in the eye of law under an alien rule. Being sadder, some of them turned to Positivism, because it was against Colonialism.

Utilitarianism never impressed the landed gentry (barring a few like Rammohun) and the orthodox religious leaders. The former resented the authoritarian way in which the Utilitarians proposed to protect the interest of the government at the expense of the zamindars. The orthodox religious leaders, on the other hand, feared that the spread of Utilitarian ideas would turn every Indian into an atheist.

IN 1857 (?), Krishnakamal Bhattacharya (1840—1932), who later became a great exponent of Positivism in India, published a book in Bengali entitled *Durākāṅksher brithā bhraman* which means 'the futile journey of the inordinately ambitious'. I think no title is more apt to describe the Indian Utilitarians. At first, they were very much attracted by the 'greatest happiness' principle, because during the early period of the British rule they were more after security than after liberty. The idea of



'good government' and not 'self government' suited the purpose of both the rulers and the ruled. From Rammohun Roy (1772/4—1833) to Bankimchandra Chatterjee (1838—94), we find grateful acknowledgement of the social and administrative stability brought about by the British rule in India. It took a long time for our Brown sahibs to understand that what is good for the alien government may not be good for the subjects. It is easier for the colonialists to adapt a liberal and impartial attitude to our social movements like the abolition of the practice of *satee*, the agitation for widow remarriage, etc. But economic and administrative policies are bound to safeguard the interest of the rulers. We were made to believe that the British rule would enlighten us. The basic contradiction of Utilitarianism lies in its attempt to reconcile the motive of exploitation with the idea of enlightenment. Neither a strong central government without any representation of the native population nor the free-trader logic of making India a market for British manufactures and a source of raw materials can be compatible with the doctrine of 'greatest happiness of the greatest number'. But from the time the British rulers assumed the double role of the governor and the guru, the Utilitarian policy-makers along with a section of the Christian Missionaries were very keen on importing Utilitarian ideas in India. How far they were successful in reconstructing the Indian society 'on the basis of abstract principles wrung from an alien tradition' has been elaborately discussed in *The English Utilitarians in India* by Eric Stokes. But the nature of response and reaction of the *native élite* is outside the scope of the book. We agree with the author that 'many of the movements of English life tested their strength and fought their early battles upon the Indian question,' but without taking into account the views of the recipients, we cannot have a total view of the movement. The object of this paper is to study the nature of their influence on the educated Indian mind.

It is not known whether any Utilitarian Association like the 'Positivist Club' (founded in the later half of the nineteenth century jointly by the European and the Indian admirers of

Comte) was formed in India. But it is evident that long before Rammohun went to England and received a letter from Bentham expounding his ideas of Utilitarianism, James Mill's *History of British India* was introduced to the Bengali readers by two well known Christian Missionaries, Felix Carey and Marshman. In fact, the date of the publication of Mill's history coincides with that of the first periodical in Bengali named *Digdarshan*. From the tenth issue of the journal, Felix Carey began to publish serially Mill's History in Bengali. He could not complete the translation as the publication of the journal was stopped after the twenty sixth number. After Carey, Marshman undertook the work and published in two volumes the remaining part of Mill's History. The book was well-received and prescribed as a text book. Even Kashiprasad Ghosh, who did not have a high opinion of the Serampore Missionaries as writers of Bengali prose, praised it. He observed :

In fact the language of all Bengallee Publications of Serampore is very defective, and called by the natives "Serampore Bengallee". However, a work which has lately been issued from the School Book Society's Press, and is a translation from Mr. Mill's History of British India, possesses great merits. As the subject relates to the affairs of India it can be easily understood by every native, and may be on that account, strongly recommended to the attentive reading of those Bengallese especially who are not conversant with the English language, and cannot consequently have a better opportunity to learn the history of their country. This work has been well managed in its style and idiom, and deserving of the first rank of prosaic works among the literature of the Bengallese. Besides, it is printed in excellent type and very neatly : which are circumstances rarely met with in Bengallee works.¹

Kashiprasad Ghosh (1809—73) was one of the first Indians to publish a critical review of Mill's History. Kashiprasad is a very interesting figure of the nineteenth century. A brilliant product of the Hindu College, he may be called the modern traditionalist. He acquired great proficiency in English and he was the first

Indian to bring out a newspaper exclusively in English. Prior to *The Hindu Intelligencer* (1846-57), there were Indian-owned English papers like *The Bengal Spectator* (1842) conducted by the Derozians (Rasik Krishna Mullick, Dukhinaranjan Mukherji) and *The Reformer* (1831) by Prasanna Coomar Tagore. But the former was a bi-lingual paper and the latter was published under European superintendence. Kashiprasad used to write poems in English and compose devotional songs in Bengali. His English verses were collected in *The Shair and other Poems* (1830). He is the only Bengali poet to be included in D. L. Richardson's well known *Selections from the British Poets* (1840).

Kashiprasad was a student of the Hindu College from 1821 to 1827. Derozio joined this institution as a teacher in 1826. Kashiprasad was a student of the First Class at that time. According to Thomas Edwards : 'Derozio taught the second and third classes.' So it is not clear whether he was a direct student of Derozio. He is never mentioned as a Derozian. But it is evident that he never indentified himself with the Young Bengal group. Although a great scholar of Western literature, he was very orthodox in his outlook. A staunch member of the Dharma Sabhā, he was against female education (though he became a member of the Managing Committee of Bethune School in 1856), widow-remarriage and anti-polygamy movements. He was much influenced and admired by the Orientalist scholar Horace Hayman Wilson, who happened to be the visitor of the Hindu College when he was a student of that institution. We may quote Kashiprasad's own words :

At the latter end of 1827, Dr. H. H. Wilson, the visitor of that institution, desired the students of the first class to try their hands at poetry, and I was the only boy who produced any verses. My first poem, "The Young Poet's First Attempt," was written in the August of that year, but it being a very juvenile effort, I have expunged it, as well as many others, from my book. The only piece that I composed at school, which has been published along with "The Shair," is 'Hope'. About this time also, on the approach of the examination, Dr. Wilson desired me to write a review of

some book, and accordingly, in December following, I submitted to him my "Critical remarks on the first four chapters of Mr. Mill's History of British India," portions of which were published in the *Government Gazette* of the 14th February 1828, and afterwards reprinted in the *Asiatic Journal*.²

Wilson's view of Mill's History is well known since he brought out a critical edition of the book in 1840. Wilson observed in his preface :

Personal knowledge of a country, and especially of India, possesses one great recommendation, of which Mr. Mill does not seem to have been aware . . .

He is a zealot for a party ; he panegyryzes its leader ; he places its principles in the fairest light ; he labours to bring odium upon the principles and practices of his opponents ; he advocates, in a word, the theoretical views of Mr. Bentham, and tries all measures and all institutions by a scale constructed according to the notions of that writer upon law and government. . . with very imperfect knowledge, with material exceedingly defective, with an implicit faith in all testimony hostile to Hindu pretensions, he has elaborated a portrait of the Hindus which has no resemblance whether to the original, and which almost outrages humanity. As he represents them the Hindus are not only on a par with the least civilized nations of the old and new world, but they are plunged almost without exception in the lowest depths of immorality and crime . . . its tendency is evil ; it is calculated to destroy all sympathy between the rulers and the ruled . . . There is reason to fear that these consequences are not imaginary, and that a harsh and illiberal spirit has of late years prevailed in the conduct and councils of the rising service in India, which owes its origin to impressions imbibed in early life from the History of Mr. Mill.³

Kashiprasad's point of criticism was more or less on the same line as Wilson's. He tried to answer some of the specific charges levelled against the Hindus by James Mill. As it is not possible

to reproduce the whole article, we are quoting below the relevant portion.

Mr. Mill, speaking of our chronology, viz., the four yugs, and the lives and reigns of our monarchs, says, they are "the offspring of a wild and ungoverned imagination ; they mark the state of a rude and credulous people, whom the marvellous delights, who cannot estimate the use of a record of past events. No suppositions, however gratuitous, have sufficed to establish a consistent theory. Every explanation has failed." The statements of the four yugs are not the fictions of caprice, but they are truths concealed in Astronomical calculations. Chronology, in those times, was very closely allied to astronomy ; in fact, the latter was the base of the former science. The visible good which mankind derives from the beneficence of the sun and moon ; the beautiful waxing and waning of the latter ; the twinkling wonders of the firmament, and still more, their apparent motions in the vault of the heavens, are circumstances which naturally fill the simple curious minds with wonder and astonishment, and suggest the noble idea of regulating the motions of these heavenly bodies, and of stating the periods in which they revolve. Thus the science of astronomy was founded. As an example, the Chaldeans, who were blessed with more advantages as to the situation of their country than the Egyptians, and other nations of the remotest antiquity, carried the science of astronomy to a greater degree of perfection . . .

The period of the Caliyug bears a very singular similarity with that ascribed to the reigns of the first ten monarchs of Chaldea, who according to the Historians of that ancient kingdom, reigned 432,000 years ; but Alexander Polyhistor is said to have explained 3,600 years, the amount of their first King Aloeus' reign, in the sense of days . . .

A lawgiver ought to make laws which would be easily and willingly borne by his nation, and not such as will never be practised, or if they be practised at all, soon fall into disuse, though they may seem perfect in theory for laws are perfect only when they are conformable to the genius of a

nation. He also ought to sacrifice a small advantage for a greater one ; and it was therefore that our lawgiver impeded the improvement of genius in some measure for the good of the public. His chief design was to keep the people always in peace and happiness, which in those times could not readily be effected. No nation, I may venture to say, has so invariably preserved the same manners, the same customs, the same laws, and the same religion . . .

Another proof of the limited monarchy and good Government of the Ancient Indians is, that no civil broils, except in the times of Paroosram, are known to have taken place in Hindustan, before the conquest of the Mohamedans ; which further proves that where the laws of a nation are conformable to their genius, there they prevail the most, and keep the people in peace.

The great minuteness with which our celebrated legislator Menu has drawn the list of persons competent to give evidence, has been wrongly affirmed by Mr. Mill that "it affords a picture of great difficulty of obtaining true testimony in the age in which it was made." &c. Could not "married house-keepers nor men with male issue ; nor inhabitants of the same district, either of the Military, the Commercial, or the Servile class," be found competent to bear witness ? The exclusions of "kings, priests of deep learning in scripture, students in theology, anchorets secluded from all worldly connexions, decrepit old men, children, those who have lost the organs of sense, persons intoxicated, mad men, and persons extremely grieved ;" is natural, proper and not a rude law.⁴

We agree with David Kopf that Kashiprasad's 'essay is important historically because he was the first known Bengali intellectual to defend secular concept of a golden age among the Hindus. His arguments and evidence clearly derived from the work of the Calcutta Orientalists.'⁵ But it is equally true that this approach in its extreme form gave rise to the later trend of communalist interpretation of history. It is said that 'Mill's motives in writing on India were complex, but upper-

most was his desire to apply utilitarian doctrines in governing British India.' Whatever might be his motive, the book did more harm than good. Bentham enthusiastically wrote to Rammohun about Mill's History :

With Mr. Mill's work on British India you can scarcely fail to be more or less acquainted. For these three or four and twenty years he has numbered among my disciples ; for upwards of twenty years he has been receiving my instructions ; for about the half of each of five years, he and his family have been my guests. If not adequately known already, his situation in the East India Company's service can be explained to you by Colonel Young. My papers on *Evidence*,—those papers which you now see in print,—were in his hands, and read through by him, while occupied in his above-noticed great work : a work from which more practically applicable information on the subject of government and policy may be derived (I think I can venture to say) than from any other as yet extant . . . For these many years a grand object of his ambition has been to provide for British India, in the room of the abominable existing system, a good system of judicial procedure, with a judicial establishment adequate to the administration of it ; and for the composition of it, his reliance has all along been, and continues to be, on me. What I have written on these subjects wants little of being complete ; so little that, were I to die to-morrow, there are those that would be able to put it in order and carry it through the press . . .

Though but very lately known to your new Governor-General, Mr. Mill is in high favour with him ; and (I have reason to believe) will have a good deal of influence, which in that case, he will employ for the purpose above mentioned.⁶

It was a very long letter expounding his doctrine of Utilitarianism. But Rammohun did not refer to Mill's History in his reply to Bentham. He was in Calcutta when Kashiprasad's review was published in the *Government Gazette*. In religious and social outlook, Kashiprasad belonged to the opposite group

of Rammohun. Yet the following lines from a letter by Rammohun indirectly reflects his attitude to Mill's History :

If by the "ray of intelligence" for which the Christian says we are indebted to the English, he means the introduction of useful mechanical arts, I am ready to express my assent and also my gratitude ; but with respect to *science, literature, or religion*, I do not acknowledge that we are placed under any obligation. For by a reference to History it may be proved that the world was indebted to *our ancestors* for the first dawn of our knowledge, which sprang up in the East, thanks to the Goddess of Wisdom, we have still a philosophical and copious language of our own which distinguishes us from other nations who cannot express scientific or abstract ideas without borrowing the language of foreigners.⁷

Rammohun was not in favour of abolishing the practice of *satee* through legislation which unlike the Benthamites shows his lack of faith in legal solutions to socio-cultural problems. In this respect at least, he toed the line of the Orientalists like Wilson, than that of the Utilitarian thinkers. I do not mean to suggest that he was averse to Utilitarian ideas. In fact, many scholars have pointed out before the influence of those doctrines on his writings on economic, political and judicial problems of India. Commenting on Rammohun's evidence on the judicial system of India, Susobhan Chandra Sarkar observes :

The evidence proceeds to argue in almost a Benthamite fashion for the framing of a "code of criminal law for India" as well as a "code of civil law", based on common acknowledged principles, simple and precise, not standing in need of explanation by a reference to books of religious authority.⁸

Nevertheless it must not be overlooked that Rammohun's advocacy for a system of trial by jury is different from that envisaged by Bentham. The latter was in favour of a 'quasi jury' system which "was not to be binding on the judge. This principle Bentham had also applied to the question of government. He had expressly approved the constitution of the Indian govern-

ments, whereby a governor was assisted by the advice of a council and subjected to the influence of its opinion, but was left with full power and responsibility for all decisions."⁹ Rammohun on the other hand, pleaded for a system where "the mufti (native assessor) has a voice with the judge in the decision of every cause, having a seat with him on the bench . . . They should be responsible to the government as well as to the public for their decisions, in the same manner as the European judges, and correspond directly with the judicial secretary ; a casting voice should be allowed to the European judge in appointing the native officers in case of difference of opinion ; the native assessor, however, having a right to record his dissent."¹⁰

Rammohun's belief in God, his reverence for the Vedas, his idea of synthesis between ancient India and modern Europe to build up a New India, stood in the way of his identifying himself completely with the Utilitarians. Yet as regards educational, judicial, and administrative reforms, he never doubted the good intention of the rulers to bring stability in the country and to modernize India. That is why he advocated European settlement in India, Free Trade in the country. Rammohun did visualize that there could be a clash of interest between the European settlers and the native inhabitants, but he was of the opinion that "If Europeans of character and capital were allowed to settle in the country, with the permission of the India Board, or the Court of Directors, or the local government, it would greatly improve the resources of the country, and also the condition of the native inhabitants, by showing them superior methods of cultivation, and the proper mode of treating their labourers and dependents."¹¹ The subsequent events proved that Rammohun's expectation was not only belied pathetically, but the European settlers also created many judicial and economic hurdles which were detrimental to the progress of the country as a whole. Even the powerful and ruthless Macaulay or other policy-makers with a liberal outlook could do little in easing the tension between the native élite and the European community. The economic aspect of the problem has been discussed by Asok Sen in his brilliant essay

on 'The Bengal Economy and Rammohun Roy'. We agree with Asok Sen that

Rammohun also had great confidence in the salutary workings of the new institutions and enrichment to attain the greatest good of the greatest number. His arguments on the modification of the ancient laws of inheritance took care to ensure the conditions of more unencumbered private accumulation. He spoke for freer trade, the elimination of the remaining monopolistic privileges of East India Company, the entry of foreign capital and land revenue reforms to help the process of building more wealth and prosperity . . .

Rammohun's zeal for alliance with the forces of the English industrial revolution looks particularly naive and misdirected in the face of that problem. And in the light of the subsequent development of the plantation economies, later history can only appreciate the element of self-defeating irony in Rammohun's plea for European colonization to induce foreign capital, skill and enterprise into his motherland.^{1 2}

It may be argued in Rammohun's favour that he was misled by the over-enthusiastic Utilitarian thinkers. Very few even among the Utilitarians could realise that there could be no identity of interest between the rulers and the ruled. When Bentham wrote to Rammohun about his 'Codification Proposal' for British India, he was concerned more with the theoretical aspect than with the practical execution. When Macaulay, one of the greatest admirers of Bentham as a reformer of Law and Judiciary, tried to execute the ideas of his guru, in practice, he felt the crux of the problem. Could there be any uniform code of law binding both on the members of the ruling community and the native inhabitants? We find Macaulay's stand more clear and unequivocal in this respect, than that of Bentham or Rammohun. About the role and achievement of Macaulay, we shall discuss later. But it is rather perplexing for us to see that Rammohun was not opposed to the existing system of two separate judicial courts for the British residents and the native population, provided the cost was low. He was not morally against it. If he were alive in the days of 'The Black Act' (a

draft proposal made in 1849 for abolishing exemption from the jurisdiction of the East India Company's criminal courts which was subsequently dropped due to the active resistance of the British community in India. Incidentally this Bill was drafted by the preceptor of female education in India, Drinkwater Bethune) and the 'Ilbert Bill' (a Bill proposed in 1883 granting the Indian magistrates and judges to try criminal cases against European British subjects. This Bill also could not be enacted for the opposition of the European citizens) movements, what stand would he have taken ? Would he have supported the Derozians like Ramgopal Ghose¹³ during the Black Act agitation or sided with his ardent admirer Prince Dwarkanath Tagore in condemning the Act of 1836 ? Dwarkanath Tagore died three years before the Black Bill was proposed. But by an Act passed in 1836, the *Sadar amins* were already empowered to try the civil cases of the British-born subjects. Although the latter could not resist the Bill from being enacted, they raised a hue and cry against it. Dwarkanath's sympathy was with the European community. Prasanna Coomar Tagore also supported him. Dwarkanath declared unequivocally :

The natives have hitherto been slaves ; are the Europeans therefore to be made slaves also ? This is the kind of equality the Government are seeking to establish. They have taken all which the natives possessed ; their lives, liberty, property and all were held at the mercy of Government, and they wish to bring the English inhabitants of the country to the same state. They will not raise the Natives to the condition of the Europeans, but they degrade the Europeans by lowering them to the state of the Natives.¹⁴

According to Dwarkanath, the Government was the worst oppressor and he remained completely indifferent to the misdeeds of the Indigo planter and other British traders in general. In fact, he represented that section of the landed gentry which opposed any land reforms on the Utilitarian model. He was one of the founders of Land Holders' Association in 1838, to protect the rights of the zaminders. Now let us come back to the main point of discussion. Rammohun,

in the course of his evidence before the Select Committee (which led to the revision of East India Company's Charter in 1833), had observed :

If the expenses attending the king's courts could be reduced to a level with the costs of the Company's courts, it would be useful and desirable to increase the number of such courts to the same extent as that of the Company's courts of appeal at present ; if Europeans of respectability are permitted freely to settle in the interior. But should such reduction of expense be impracticable, it seems necessary in that event to extend the power of the Company's courts under the judicial servants of the Company. In the latter case these judicial servants should be regularly educated as barristers in the principles of British law ; or the British settlers must consent to be subject to the present description of judicial officers, under such rules and regulations as the local government of India has established for the rest of the inhabitants of the country. With regard to the extension of the jurisdiction of the king's courts already established at the presidencies, although in the courts justice is, I think, ably administered, yet it is at an expense so enormous to the parties, and to the community, that even so wealthy a city as Calcutta is unable to support its exorbitant costs, to which two successive grand juries have called the attention of the judges without any effect.¹⁵

But Rammohun could not foresee the danger of this system. Ironically Macaulay's views proved to be more correct in this respect. To quote Ramgopal Ghose :

The well abused Thomas Babington Macaulay prophetically depicted in his speech on the Charter Act in 1833, what the probable results of continuing such a system would be.

"The danger is" he said, "that the newcomers belonging to the ruling nation, resembling in colour, in language, in manners, those who hold supreme military and political power, and differing in all these respects from the great mass



of the population, may consider themselves as a superior class, and may trample on the indigenous race. Hitherto there have been strong restraints on European residents in India. Licences were not easily obtained . . .

The licence of the Government will now no longer be necessary to persons who desire to reside in the settled provinces of India. The power of arbitrary deportation is withdrawn. Unless therefore we mean to leave the natives exposed to the tyranny and insolence of every profligate adventurer who may visit the East, we must place the European under the same power which legislates for the Hindu. No man loves political freedom more than I. But a privilege enjoyed by a few individuals in the midst of a vast population who do not enjoy it, ought not to be called freedom, it is tyranny . . . India has suffered enough already from the distinction of castes, and from the deeply rooted prejudices which those distinctions have engendered. God forbid that we should inflict on her the curse of a new caste, that we should send her a new breed of Brahmins, authorized to treat all the native population as Parias.¹⁶

Of all the British statesmen throughout the whole period of the British rule in India, Thomas Babington Macaulay (1800–59) exerted the strongest influence on the native élite. He was really the Governor and Guru to them. Perhaps John Eliot Drinkwater Bethune (1801–51), his successor as the Law Member, was more popular with the native community, but Macaulay was more influential. We have already quoted from the letter of Bentham to Rammohun stating that James Mill was held in high esteem by Bentinck. It is said that before leaving for India in 1827, as Governor General, he made this remark to James Mill, "I am going to British India but I shall not be Governor-General. It is you that will be Governor-General." Macaulay got his appointment in India on the recommendation of Mill. In a letter written on November 1, 1833, to his sister Hannah (Mrs Trevelyan), Macaulay mentioned it : "Mill, said very handsomely that he would advise the Company to take me ; for, as public men went, I was much above the

average, and, if they rejected me he thought it very unlikely that they would get anybody so fit."¹⁷

It is true that Macaulay did not belie the expectation of Mill. But how far he advanced the cause of Utilitarianism in India is a matter of controversy. In fact, the complexities of Macaulay's character make it extremely difficult for anybody to arrive at a definite conclusion. Whatever he uttered, he did with utmost confidence ; whatever he did, he did with a strong sense of determination. Nevertheless he was prone to making contradictory and exaggerated statements for the sake of expediency. As an individualist, it was not very easy for him to identify himself completely with a particular school of thought or philosophy. Some historians try to label him as a 'Liberal Imperialist', according to some, he was a 'Pragmatist Utilitarian'. Perhaps both the views are correct up to a certain point. Macaulay owed much to the ideas of jurisprudence expounded by Bentham for framing the Indian Penal Code. But here also we find that he 'accepted Bentham's jurisprudence but not the general political theory that attached to it.'¹⁸ Even if we accept that it was on the whole based on the Benthamite model, we find that it could not make an immediate impact on the Indian mind. For it took more than twenty-three years to enact the Penal Code framed by Macaulay. In fact, it was not passed during his lifetime. Moreover, it is rather intriguing to find that Macaulay, as a law-reformer, did not consider it necessary to reform the prevailing indigo system which was in a mess at that time. To quote Benoy Chowdhury :

Macaulay persuaded the Government to reject some suggestions for regulating the relation between the planters and the peasant. Two such suggestions were : (a) to consider invalid all contracts which were not properly registered ; (b) to consider invalid all contracts of a period more than one year. Macaulay called the first 'objectionable'. In some cases like the purchase of landed property, registration was quite valuable since it gave the purchaser a sense of security. But different was the cause of 'contracts between all the capitalists and all the working people.'

(Presumably, Macaulay looked upon the contract between the planter and the peasant as of the same kind, as one between a capitalist and a worker.) It was absurd to talk of getting all these contracts registered with a certain assurance that these were freely made. According to Macaulay, it would be to dissolve the whole frame of society.' The second suggestion, made with the best of intentions and on an assumption that not a few of the contracts were the result of fraud and force was pooh-poohed by Macaulay, since the peasants were looked upon as 'mere children . . . to be specially protected.' Macaulay thought highly of Bengal peasants, who 'are not intellectually inferior to the peasantry of other countries.' Were fraud or force would be proved by judicial enquiry, the contracts could be set aside. But there was no point in bringing all of them under the sweep of one reforming legislation. Macaulay invoked the established 'political truth' that the interference of legislators for the purpose of protecting men of sound mind against the inconveniences which may arise from their own miscalculations, or from the natural state of markets, is certain to produce infinitely more evil than it can avert.' According to him, the indigo system was wrong very much in the same way as other systems were so. The primary evils stemmed in all these cases, from one common source. 'There is a bad judicial system, there is a bad police, there is a people accustomed for ages to be plundered and trampled upon and ready to cringe before every resolute and energetic oppressor.'¹⁹

Macaulay's Minute on Education, on the other hand, became effective almost immediately. Again opinions differ regarding the extent of Utilitarian influence on Macaulay's educational policy. Eric Stokes has discussed the point at length in the book already mentioned. Any way, when Macaulay favoured a strong, authoritarian government armed with the weapon of law, he, consciously or unconsciously, toed the line of the Utilitarian thinkers.

It is generally assumed that the 'root-and-branch policy'

(C. F. Andrews) advocated by Macaulay with regard to Hindu and Muslim cultures alienated the native élite. David Kopf has based his thesis on this assumption. He concludes :

The evidence seems to suggest strongly that Bengalis responded well to foreign ideas and customs when introduced by sympathetic Europeans (Orientalists) who were themselves highly responsive to the Hindu way of life. To express this in another way, so long as the European masters viewed modernization as cosmopolitan rather than parochial in nature, the Bengalis offered little resistance to cultural change. When Modernization took on the guise of Macaulayism, the older response collapsed and the cultural barricades of nationalism were rapidly erected.²⁰

This is rather a sweeping generalization. First, we shall see in the following chapter that the majority of the educated class was highly responsive to Macaulay's idea of westernization. The age of reform was to them the age of expectation. In a sense the transformation of an educated Bengali from Babu to Brown sahib was complete with the advent of Macaulayism. There was no resentment at the initial stage. The older response collapsed only when the Brown sahibs became aware that they could not have equal share and power in the administration without positive political action. All the hopes of gradual transfer of power fell through. Second, unlike the Christian Missionaries Macaulay did not believe in proselytizing in order to modernize the Indian people. It was his conviction that the spread of English education in India would do away with the system of idolatry. To quote his own words : "It is my firm belief that, if our plans of education are followed up, there will not be a single idolater among the respectable classes in Bengal thirty years hence. And this will be effected without any efforts to proselytize ; without the smallest interference with religious liberty ; merely by the natural operation of knowledge and reflection."²¹ Third, very few Orientalists were 'highly responsive to the Hindu way of life.'

Derozio died three years before Macaulay arrived in India in 1834. By that time all the Derozians had left the Hindu College. Vidyasagar, then a boy of fourteen, was studying at the Sanskrit College. D. L. Richardson had not yet joined the Hindu College as a teacher. Duff had been successful in converting some of the Derozians to Christianity. He was then seriously trying to wipe out the radical ideas of Derozio from the minds of his pupils. The main activities of the Derozians were concentrated in editing periodicals and writing articles on social, religious, educational and administrative problems. The Society for the Acquisition of General Knowledge had not yet been started. In spite of Duff's serious efforts to fill the vacuum caused by the death of Derozio, his impact on the Bengali intelligentsia, as a whole, was very limited. It was in the background of this void that Macaulay came over to India and with his radical ideas of reforms kindled the imagination of Young Bengal. We can testify to this from Sivnath Sastri's *Ramtanu Lahiri o tatkalin Bangasamāj* :

...কৃষ্ণমোহন বন্দ্যোপাধ্যায়, রসিককৃষ্ণ মল্লিক, রামগোপাল ঘোষ, তারারচন্দ চক্রবর্তী, শিবচন্দ্র দেব, প্যারীচন্দ্র মিত্র, রামতনু লাহিড়ী প্রভৃতি হিন্দু কলেজ হইতে নবোত্তীর্ণ যুবকদল সর্বান্তঃকরণের সহিত মেকলের শিক্ষাত্ত গ্রহণ করিলেন।

...নব্যবঙ্গের তিন প্রধান দীক্ষাগুরু হস্তে তাঁহাদের দীক্ষা হইয়াছিল। প্রথম দীক্ষাগুরু ডেভিড হেয়ার, দ্বিতীয় দীক্ষাগুরু ডিরোজিও, তৃতীয় দীক্ষাগুরু মেকলে।^{২২}

(All the newly passed young students of the Hindu College like Krishnamohun Banerji, Russick Krishna Mullick, Ramgopal Ghose, Tarachand Chakravarti, Siv Chandra Dev, Peary Chand Mitra, Ramtanu Lahiri, etc. whole-heartedly became the disciples of Macaulay. . . They were initiated by three great preceptors of Modern Bengal. The first preceptor was David Hare, the second was Derozio and the third was Macaulay.)

Rajnarain Vasu (1826—99) also records his one time admiration for Macaulay in his autobiography :

তখন আমরা মেকলে-খোর ছিলাম।

বিবিধ প্রবন্ধ লেখকের মধ্যে মেকলে . . . আমার সর্বাধিক প্রিয় ছিল।²³

(We were all Macaulay-addicts at that time . . . Of all the essayists Macaulay was my most favourite.)

What accounts for such a tremendous impact made by Macaulay on the Bengali intelligentsia ? He was perhaps the first British statesman to declare unequivocally that self-government was not only the aim but also the inevitable result of the British rule in India. How far he was sincere in his views is altogether a different question. But Young Bengal was deluded by his eloquence. As early as 1833 he declared :

It may be that the public mind of India may expand under our system till it has outgrown that system ; that by good government we may educate our subjects into a capacity for better government ; that, having become instructed in European knowledge, they may, in some future age, demand European institutions. Whether such a day will ever come I know not. But never will I attempt to avert or retard it. Whenever it comes, it will be the proudest day in English history . . . The sceptre may pass away from us . . . But there are triumphs which are followed by no reverse. There is an empire exempt from all natural causes of decay. Those triumphs are the pacific triumphs of reason over barbarism ; that empire is imperishable empire of our arts and our morals, our literature and our laws.²⁴

He declared further :

It would be, on the most selfish view of the case, far better for us that the people of India were well-governed and independent of us, than ill-governed and subject to us.

Trevelyan, Macaulay's brother-in-law, was more specific on this issue :

The existing connection between two such distant countries as England and India, cannot, in the nature of things, be permanent ; no effort of policy can prevent the natives from ultimately regaining their independence. But there are two ways of arriving at this point. One of these is through the

medium of revolution ; the other through that of reform. In one, the forward movement is sudden and violent ; in the other, it is gradual and peaceable. One must end in the complete alienation of mind and separation of interests between ourselves and the natives ; the other in a permanent alliance, founded on mutual benefit and good-will . . . The political education of a nation is a work of time ; and while it is in progress, we shall be as safe as it will be possible for us to be. The natives will not rise against us, we shall stoop to raise them ; there will be no reaction, because there will be no pressure ; the national activity will be fully and harmlessly employed in acquiring and diffusing European knowledge, and in naturalising European institutions.²⁴

Self-government through reforms later formed the basis of moderate politics in India. Surendranath Banerjea, the father of moderate politics, wrote in his autobiography :

We not only wanted to be members of the bureaucracy and to leaven it with the Indian element, but we looked forward to controlling it, and shaping and guiding its measures, and eventually bringing the entire nation administration under complete popular domination.²⁵

But the Brown sahibs were sadly mistaken. By 1849, Macaulay changed his mind. Commenting on the Black Act agitation, he remarked : "We know that India cannot have a free Government. But she may have the next best thing—a firm and impartial despotism."²⁶

It may not be out of place to quote here from a modern British historian regarding the real motive of the British government under the garb of Liberalism :

The first overt political move was an Indian demand for association in the administration, which a number of declarations by the British had led the middle classes to believe was their right. The general preference of the government of India in fact—whatever it might say to the contrary—was for the old governing classes. Macaulay had, however, stated that at some time in the very distant future a new anglicized

class would demand and deserve self-government. This was rhetoric, not policy, but educated Indians—many of them afire with Western liberal ideas chose to believe him.²⁷

The essential difference between 'rhetoric' and 'policy' was overlooked by our intelligentsia in 'willing suspension of disbelief'. This is, in fact, a legacy inherited from the days of Young Bengal. Sumit Sarkar has made a brilliant assessment of the Young Bengal movement in his paper on 'The Complexities of Young Bengal'.²⁸ We totally agree with Sumit Sarkar that "The Derozians swallowed, hook, line and sinker, the free trader logic".²⁹ Their guru was George Thompson, the travelling secretary of the British-India Society (formed in London in 1839 to look after the interest of the British mercantile community). He was brought to India by Prince Dwarkanath Tagore, whose sympathy for the Indigo planters was well known. It has already been noted that Dwarkanath opposed in 1836 the power of the Company's courts to try the civil cases of the European residents of India. Yet when he invited George Thompson to accompany him during his return to India in 1842, the Young Bengal leaders never for a moment doubted the *bona fides* of Dwarkanath or George Thompson. In fact, the latter was hailed as a champion of India's cause. I do not intend to minimise the role of Ramgopal Ghose during the Black Act days or that of the Rev. Krishnamohun Banerjea in opposing the Vernacular Press Act (1878). Yet it must not be overlooked that the Black Act agitation was not an anti-government movement and Krishnamohun's involvement in the Vernacular Press Act movement was not deeper than revising the draft condemning the Act and attending a meeting organised by, to quote Surendranath, 'a middle class party'.

So far as I am aware, the hollowness of the free trader logic was first exposed by Bholanath Chunder (1822–1910), a classmate of Madhusudan Dutt. Kissen Mohun Mullick published *A Brief History of Bengal Commerce*, in three volumes in 1872.³⁰ Kissen Mohun's contention was that India had made tremendous progress in the field of trade and commerce under the British rule. Challenging the views of Kissen Mohun, Bholanath pub-

lished a series of articles in *Mookerjee's Magazine* from 1873 to 1876. He could not complete the series as the paper was discontinued after June, 1876. Although the articles were highly praised by such men as Bankimchandra, Gourdas Byssack, Rajendralal Mitra, Bholanath's view raised a great controversy in and outside Bengal. Bholanath observed :

To strip naked the disguised truth, the English want to reduce us all to the condition of agriculturists. It would be impolitic for them to rear up great or rich men among us. They are afraid of the consequences of intelligence and wealth in our nation. Hence the dust thrown into our eyes. England's boast as a manufacturing power would be at an end, if India followed her own trades and industries.

Hence the persistent dissemination of the opinion that India's appointed vocation is agriculture. But the Natives are now sufficiently competent to see through the hollowness of that opinion—and to feel that they can be the same commercial and manufacturing people that their forefathers had once before been. Let the Legislatures be disposed to help us towards that end. Let us receive a commercial and industrial education. Allow us a share in the administration, and to frame our own Tariff—and, with, perhaps at starting, a bit of patriotism to refuse to buy foreign goods, the children of India will prove to the world whether Providence has willed them to be mere agriculturists, or whether they cannot dethrone King Cotton of Manchester, and once more re-establish their sway in the cotton world.³¹

It is interesting to note what Barun De, the Marxist historian writes on the subject exactly one hundred years after Bholanath Chunder :

The economic impact of free-trade colonialism destroyed the Indian handicrafts, but it also increased the hold of British manufacturers on India consumer markets. This led to the consolidation and even extension of India's potential for exporting raw, or semi-processed materials at artificially cheap prices to the 'workshop of the world'. This 'built-in-depressor', as it has been called by Daniel Thorner (in his "Emergence

of the Indian Economy, 1757-1947" in D & A. Thorner, *Land and Labour in India*, 1964) worked to the detriment of India's rate of growth throughout the first half of the 20th century till 1947. Marx, justifiably perhaps had in the light of early Industrial Revolution in 1853, believed that railway industrialisation would be a model for diffusion of growth of the industrial sector. By [R. P.] Dutt's time in 1940 this model had proved false for countries under Imperialism.³²

Although Bholanath did not live to see what happened to India after 1910, yet unlike the Derozians, he correctly diagnosed the cause of the malady. Second, we find that his overt suggestion to boycott foreign goods in order to revitalize the indigenous trade was later accepted as a part of the programme during the Swadeshi days.

Barun De, while substantiating his thesis that '19th century India experienced an Enlightenment through benevolent despotism, without going through a Renaissance', makes this observation, '... the Muslim concept of Renaissance (also an Enlightenment and not a Renaissance really) like the one which has been called the Renaissance by Hindus, Brahmos, and British alike, led not to anti-communal national unity, but to what Abul Mansur rightly calls the spirit of Partition in the 1940s. As such, as a vehicle of intellectual transition for the nineteenth century intelligentsia, it represents the stultification of the Indian peoples, and does not deserve the sort of liberal utopias which is the vision of historians, whose premises we have analysed'.³³

It is outside the scope of this paper to discuss Barun De's point in detail. But it cannot be denied that the lack of respect on the part of the Hindu intelligentsia for the Islamic heritage was largely due to a negative reaction to Mill's History. We have already noticed that Mill's attack on the Indian civilization made them defensive about the glory of ancient India. They sought to put all the blame for the existing degeneration on the tyranny of Muslim rule in India. This view was propagated by the Orientalists also. If the Muslims were not late-comers in the field of English education, there would have been an attempt to

present their point of view. In the absence of it, the idea struck root in the minds of the educated Hindu community.³⁴ Although the Derozians with their radicalism should have rejected this irrational approach, they chose to strengthen the narrow, communal attitude of the orthodox Hindu leaders. There is very little difference in outlook between Kashiprasad Ghosh and the Derozians in this respect. I have not yet come across any review of Mill's History by any of them. But their views can be well-ascertained from their other historical writings read in the meetings of SAGK. Sumit Sarkar has rightly pointed out that "The virtually ubiquitous presence of the concept of Muslim tyranny (and of British rule as a deliverance of the same) is surely one of the most striking features of nineteenth-century 'renaissance' thought, and the Derozian acceptance of these assumptions is a reminder that in certain crucial respects our 'radicals' were not all that different from 'moderates' or even the 'conservatives'."³⁵

It was natural that as the clash of interest between the ruler and the ruled grew intense from the fifties onwards, the influence of Utilitarian ideas would decline at least among the native intelligentsia. Moreover, the movement was already a spent force in England. Very few among the bureaucrats who came over to India after 1850, were influenced by the movement. In fact, the British policy with regard to India was then largely determined by the party in power in England. Hence it is very difficult to find any consistency in the attitude of the British rulers towards India. If it was the age of despair, it was the age of hope also. We see, on the one hand, loyal officers like Kissorychand Mitra (in 1858), Surendranath Banerjea (in 1874) removed from government services on flimsy grounds, on the other, persons like Ramaprasad Roy, Dwarkanath Mitra, etc., being made judges of the High Court. The Dramatic Performances Act (1876), The Vernacular Press Act (1878), the fate of the Ilbert Bill and subtle discrimination made against the Indians in admitting them to higher administrative posts gave them genuine causes for grievance. Besides, famine became almost a regular feature. Side by side, successful efforts were made to establish

universities for higher education, to repeal the Vernacular Press Act, to introduce Local Self Government modelled on English county councils. This dichotomy is noticeable in the attitude of both the ruler and the ruled. In the background of this trend of belief as well as disbelief in constitutional reforms, we notice a fresh enthusiasm for Utilitarianism particularly of John Stuart Mill variety. Their interest was mainly academic, but its influence on social reforms and literary ideas were considerable. This enthusiasm was short lived and Bankimchandra, the most ardent admirer of John Stuart Mill, later recanted almost every word written in favour of Utilitarianism. Nevertheless judging from the volume of writing, it may be said that John Stuart Mill renewed their interest in Utilitarian ideas in the latter half of the nineteenth century.

3

John Stuart Mill (1806—73) was in the Company's service from 1823 to the last day of the Company's rule in India (1858). Eric Stokes has written in the preface to his book that

Some surprise may be occasioned by the small figure which John Stuart Mill makes in these pages, despite the thirty-five years he spent as an official at the India Office House . . . his official work was almost confined to handling political relations with the Indian states, and neither by temperament nor by belief was he fitted to take over the leadership of the doctrinaire programme laid down by his father and Bentham. Undoubtedly his authority did much for the general acceptance of his father's notion of the Indian land revenue and for upholding the cause of peasant proprietorship, but his true importance lay in the very much broader field of political theory.

But contemporary evidence from Indian sources suggests that he was no less important in his official capacity than as a thinker. It was generally believed that the famous Education Despatch of 1854, which led to the founding of three universities in India, was drawn up by him. According to Bankimchandra, the policy suggested in the said Despatch was based on the

idea expounded in Mill's 'On Liberty'.³⁶ His evidence before the Select Committee regarding land-revenue made a profound impact. His farsightedness in opposing the supersession of the East India Company was appreciated by later day Indian historians like Romesh Chunder Dutt.³⁷ Although his idea of land reform was not received favourably by the landed gentry (as will be evident from Kristo Doss Paul's article reprinted in the Appendix) for obvious reasons, he was more influential in this respect than his father. His father antagonized the native intelligentsia by his aggressiveness and very few among them gave serious thought to his idea of economic reforms. John Stuart Mill, on the other hand, was more concerned with the contemporary economic and administrative problems than with attacking the social and political systems of ancient India. His ideas of democracy, equality of rights, universal education, peasant proprietorship, certainly gave impetus, at least theoretically, to different socio-cultural movements of the nineteenth century.

It is not known how far Vidyasagar was indebted to the Utilitarian thinker for widow-remarriage, anti-polygamy and female education movements. But it is on record that he tried to introduce Mill's Logic in Sanskrit College curriculum. He even objected to the proposal of J. R. Ballantyne (then Principal of Sanskrit College, Benares) to prescribe an abstract instead of the whole book. According to Vidyasagar, "Under the present state of things the study of Mill's work in the Sanscrit College is . . . indispensable. Dr. Ballantyne's principal reason for recommending the abstract seems to be the high price of Mill's work. Our students are now in the habit of purchasing standard works at high prices, so we need not be deterred from the adoption of this great work; on that consideration Dr. Ballantyne's abstract might be read, to quote his own words, 'as introductory to the perusal of that work'. But the great author himself, in his preface, strongly recommends Arch-Bishop Whatley's treatise on Logic as the best introduction to his work. I therefore leave the matter to the decision of the Council."³⁸

No two persons are more dissimilar than Vidyasagar and

Bankimchandra. The former, more or less an agnostic by belief, was essentially a man of action. He had great faith in changing the society through legislation. He tried to liberate the individual from the slavery of religious superstitions through enactment of laws. He was a firm believer in universal education, yet in order to expedite the social progress he sought legal sanction to socio-cultural problems. According to him, the spread of education was a matter of time, but the effect of good law was immediate. Hence good laws enforced by a 'benevolent' government would hasten the desired change. He was concerned more with socio-religious reforms than with political freedom. As I have pointed out earlier, Rommohun was closer to Macaulay than Vidyasagar in this respect. But how far Vidyasagar was aware of the Utilitarian movements in England cannot be ascertained from his biographies.

If Vidyasagar adopted Utilitarianism in practice, Bankimchandra accepted it in principle. But it was his firm belief that religion is outside the scope of law. He was of the opinion that without 'religious and moral regeneration' society cannot be changed through enactment of laws only. He was dead against any legal reform made in the name of the Shastras. It is not desirable that the sanction of the Shastras should be sought for doing away with any evil religious practice by passing law. For what would be the attitude of the law-makers, if any body proposes to legalise casteism on the ground that it is sanctioned by our Shastras? Bankimchandra has elaborated this point in his letter to Kumar Benoykrishna Dev on the inhibition of the Hindus with regard to sea-voyage. Moreover, the common people are guided more by 'deshūchār' and 'lokūchār' (local conventions) than by Shastras in their daily life. The 'deshūchār' is amendable according to the needs of time. But in spheres other than religion, he was a firm believer in good government administered by a codified system of law. Bankimchandra had great faith in the benevolence of 'friendly' British rule in India. It is true that he became a disillusioned man in his later days, but in his early life he even preferred good government to self government. There is a tendency among a section of the scholars to

quote from the last chapter of *Anandamath* as a proof of his unshaken faith in the British rule even after the Ilbert Bill agitation. But they seem to forget that what was uttered in the context of eighteenth century Bengal might not be necessarily true after hundred years. Moreover, they conveniently ignore the fact that in *Devi Choudhurāni* (published a few months after *Anandamath* Bankimchandra did not show any weakness for the British rule. *Devi Choudhurāni*'s last advice to Rangalāl was to have faith in God :

দুষ্টির দমন রাজা না করেন, ঈশ্বর করিবেন—³⁹

(If the King does not punish the wicked, God will do it.)

It is interesting to note here that in the English version (translated by the author himself) the line is slightly changed : 'It is for the God in heaven, and the King on earth, to punish the wicked.'³⁹ Bankimchandra's satirical writings like *Muchirām Gurur Jivancharit*, 'Bransonism', etc., bear testimony to his change of mind in the later days. As a government official, perhaps, nobody knew better than him that there could not be any identity of purpose between the ruler and the ruled. He retired voluntarily two years before the due date, not for any serious ailment but, we believe, as a mark of protest against the authoritarian attitude of the British bureaucrats, of which he was a victim more than once. In his early days, however, he was not only a great supporter of the British rule in India, but also an ardent admirer of western culture. During the Sepoy Mutiny, when Bankimchandra was a student of Law at the Presidency College, he made this remark to his teacher, Mr Montriou : "If for a single moment I had thought that your rule would come to an end, I should have thrown my law books into the Ganges and returned home."⁴⁰ This unshaken faith in the supremacy of the British power gradually drew him towards the idea of benevolent despotism. In his essay on 'Bhāratvarsher swādhinatā ebang parādhinatā' (included in *Prabandha-pustak*, 1879), he even went so far as to support the European residents' agitation against the law to bring them under the authority of Indian *Sadar āmins* on the ground that

ইংরেজের রাজ্যে যেমন ইংরেজ দেশী লোক কর্তৃক দণ্ডিত হইতে পারে না, প্রাচীন ভারতেও সেইরূপ ব্রাহ্মণ শূদ্র কর্তৃক দণ্ডিত হইতে পারিত না। বাবু দ্বারকানাথ মিত্র প্রধানতম বিচারালয়ে বসিয়া আধুনিক ভারতবর্ষের মুখোজ্জ্বল করিয়াছেন—“রামরাজ্যে” তিনি কোথা থাকিতেন?⁴¹

(As an Englishman cannot be punished by a native judge in the British Kingdom, a Brahmin in ancient India, similarly, could not be tried by a Shudra. Babu Dwarkanath Mitra has brightened the face of Modern India by sitting in the highest court—where would he have been in the 'Ram Rajya'?)

Bankimchandra later atoned for this by writing comical skits like 'Bransonism' (included in the second edition of *Loka Rahasya*, 1888) where he ridiculed the European agitation against the Ilbert Bill.

On Mill's death in 1873, Bankimchandra wrote in *Bangadarshan*, "Mill is dead. We never saw him ; he also never took notice of 'Bangadarshan'. Yet we feel as if we have lost one of our dear relations." A year before he had published in *Bangadarshan*, his essay on the condition of Bengali peasants entitled 'Bangadesher Krishak'. The essay later formed a part of his book *Sāmya* (published as a book in 1879). When he withdrew the book from circulation, the earlier article was included in the second part of *Vividha Prasanga* (1892) with an author's note that he no longer held this view. About *Sāmya* he later told Srishechandra Majumdar : "Mill once made a great impact on me, now it is gone . . . *Sāmya* is altogether wrong. Although it sells very well, I'll not reprint it."⁴²

In 'Bangadesher Krishak' Bankimchandra is out and out a Benthamite. He declares unequivocally :

বান্ধালী কৃষকের শত্রু বান্ধালী ভূস্বামী। . . . জমীদার নামক বড় মানুষ, কৃষক নামক ছোট মানুষকে ভক্ষণ করে।⁴³

(The greatest enemy of the Bengali peasant is the Bengali landlord . . . The big man named zaminder eats up the little man named peasant.)

Although he hastens to add in the footnote that there are many honourable exceptions among the zaminders, he states that

the real beneficiaries of the Permanent Settlement were the landlords. According to him, there was no zamindari system in ancient India. It was a creation of the Muslim rulers. He does not suggest abolition of the system, but he wants the rights of the peasants to be clearly established by law. He agrees with the Utilitarian thinkers that 'an accurate code, an adequate judicial establishment, and a rational code of procedure' would greatly redress the peasants' problems. Second, if the peasants get a share in the profit, it would ultimately enrich the country. He illustrates his point with a metaphor :

ধন গোময়ের মত, এক স্থানে অধিক জমা হইলে দুর্গন্ধ এবং অনিষ্টকারক হয়, মাঠময় ছড়াইলে উর্বরতাজনক, স্মৃতরাং মঙ্গলকারক হয়।^{১১}

(Wealth is like cowdung. If it is dumped in one place, it stinks and it is harmful ; if it is spread throughout the field, it fertilizes the land and thereby it becomes useful.)

In his later note Bankimchandra recanted his earlier views on the subject. He found that in many cases, 'the peasants are the oppressors, the zaminders are weak.' In *Sāmya* he discussed the same problem in a broader perspective. According to him, Buddha, Christ and Rousseau were the three incarnations of *sāmya* or communism. He historically traced the origin of ownership of land and property. He further showed how thirst for wealth and knowledge helped to develop human civilization. It is evident from the article that he was more or less acquainted with almost all the contemporary political and economic thinkers, except Marx. It is very difficult to know whether he ever came across the writings of Marx. Any way, in the article mentioned above, he elaborately discussed the views of Mill on different subjects like Political Economy, Liberty, Subjection of Women etc. Incidentally Bankimchandra gave his opinion on widow remarriage. According to him, widow remarriage is neither good nor bad. It is good for the widows to have the right to remarry, but at the same time it is neither possible nor desirable for every widow to remarry.

Perhaps inspired by Bankimchandra, many contemporary Bengali authors became interested in Mill. Jogendranath Vidya-

bhusan (1845–1904), editor of *Aryadarshan* published a life of Mill in Bengali in 1877 under the title *John Stuart Miller Jivan-vritta*. This book remains up till now the only biography in Bengali of Mill. Although the book is based mainly on the autobiography of Mill, the author specially refers in the last chapter to the disagreement between Mill and Comte on the question of individual liberty. It may not be out of place to mention here that on this point, Bankimchandra supported Comte. In fact, Bankimchandra's implicit faith in the idea that the individual's social and collective responsibility is greater than individual liberty, later drew him closer to Comte. This is the main theme that he propounded in his novels. He believed that society is greater than the individual. Although in his obituary of Mill, Bankimchandra did not take any side, yet he remarked that the effect of Mill's 'Auguste Comte and Positivism' on the common people was to some extent harmful.

But is this the only cause of his disillusionment with Mill in particular and Utilitarianism in general? I think there are other reasons than this. First, he gradually lost faith in an alien government. Mill, on the other hand, 'was faithful to his father in holding to the belief that India could still be governed only despotically'.⁴⁵ Positivism, with its expressly anti-colonial stand, became closer than Utilitarianism to the minds of the Indian people in the later 19th century. For a more detailed analysis of the subject, interested readers may read Sabyasachi Bhattacharya's article entitled 'Positivism in 19th Century Bengal: Diffusion of European Influence in India'. I am quoting below the relevant portion:

The anti-imperialist writings of Richard Congreve, the father-figure of the movement, had a formative influence . . . The tract on India, dedicated to Comte, was published shortly after his death, and met a hostile reception in the midst of the post-1857 frenzy. Congreve questioned the moral basis of the empire in India . . .

The Indian positivists seem to become alive to the anticolonial aspect of positivism only after the Ilbert Bill agitation. Positivism provided a moral and philosophical basis to a

racial grievance. Offence to the natives of India was an offence to the Religion of Humanity.⁴⁶

Second, Bankimchandra feared that the spread of Utilitarian ideas would turn every body into an atheist. Bankimchandra's apprehension was not quite unfounded. Tagore who was diametrically opposed to Bankimchandra in his religious outlook, held that atheism became a fashion with a certain section of the educated community. According to Tagore, it was not due so much to a reaction against Brahmoism or Hindu revivalism, as to an imitation of the contemporary western ideas. Recollecting the days of his early youth, he observed :

তখনকার কালের যুরোপীয় সাহিত্যে নাস্তিকতার প্রভাবই প্রবল। তখন বেহাম, মিল ও কৌণ্টের আধিপত্য। তাঁহাদেরই যুক্তি লইয়া আমাদের যুবকেরা তখন তর্ক করিতেছিলেন। যুরোপে এই মিল-এর যুগ ইতিহাসের একটি স্বাভাবিক পর্যায়। মানুষের চিন্তের আবর্জনা দূর করিয়া দিবার জ্ঞান স্বভাবের চেষ্টারূপেই এই ভাঙিবার ও সরাইবার প্রলয়শক্তি কিছুদিনের জ্ঞান উত্তত হইয়া উঠিয়াছিল। কিন্তু, আমাদের দেশে ইহা আমাদের পড়িয়া-পাওয়া জিনিস। ইহাকে আমরা সত্যরূপে খাটাইবার জ্ঞান ব্যবহার করি নাই। ইহাকে আমরা শুধুমাত্র একটা মানসিক বিদ্রোহের উত্তেজনাক্রমেই ব্যবহার করিয়াছি। নাস্তিকতা আমাদের একটা নেশা ছিল।⁴⁷

(Atheism was the dominant note of the English prose writings, then in vogue,—Bentham, Mill and Comte being favourite authors. Theirs was the reasoning in terms of which our youths argued. The age of Mill constitutes a natural epoch in English History. It represents a healthy reaction of the body politic, these destructive forces having been brought in, temporarily, to rid it of accumulated thought-rubbish. In our country we received these in the letter, but never sought to make practical use of them, employing them only as a stimulant to incite ourselves to moral revolt. Atheism was thus for us a mere intoxication.)⁴⁸

Moreover, deep-rooted hate and disrespect shown by the Europeans (Utilitarians being no exception) towards Hindu religion gradually convinced Bankimchandra that it would be disastrous for India to accept any western model based on materialism. He gave this title to an essay written by him, 'Utility বা Udar-

darshan' which means Utility or the philosophy of gastronomy. Although the essay is written in a light vein, it shows the attitude of the author.

Utilitarianism slowly ebbed away with the rise of Nationalism in India. For the next fifty years after 1885, the native intelligentsia themselves became free traders in ideas. They imported freely from Mazzini to Marx according to their choice. Perhaps the sole survivor of Utilitarianism in India is Sachish's uncle in Tagore's novel *Chaturanga* (1916). He is an atheist and a firm believer in 'greatest good of the greatest number'. There also we find that Sachish his most ardent devotee, becomes a sannyasi after his death.

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For earlier controversies on Mill's History see : Das, Satyajit, ed. *Selections from the Indian journals* ; vols. 1 & 2. Calcutta, 1963, 1965.

I am quoting below excerpts from two very interesting letters on the subject which appeared in the *Calcutta Journal* on June 20, 1819 and June 12, 1820 respectively. Both the letters were published under pseudonyms. Incidentally James Silk Buckingham, editor of the *Calcutta Journal*, was a great promoter of free trade.

For his eventful career as a journalist in India, see my book *Se juger kechchā ekāler itihas* (Calcutta, 1969).

(a) The critics seem to me almost universally to overlook what was the duty of historian in this case, and what is in reality the service which Mr. Mill proposed to himself to render. Not, certainly, to take part with the zealots, on either side ; not to praise the Hindus, or to blame the Hindus. But, by a careful examination of facts, by laborious collection, and vigilant appreciation, of all the evidence which bears upon the points, by an extensive comparison with the correspondent circumstances of other nations, and constant reference to the grand philosophical principles of human nature and its social progress, to throw light upon the state of civilization among the Hindus, and ascertain, as nearly as possible, the stage at which they had arrived in the passage from the least to the most perfect state of human nature. If Mr. Mill has found that they have remained at rather an early stage, this is no more prejudice against, the Hindus, that it is prejudice against our own ancestors to say they were in a similar state a few centuries ago. But, in fact, it did not require the comprehensive investigation, at last presented by Mr. Mill, to put an end to the extravagant opinions which were at one time pretty general, from causes which Mr. Mill has fully explained, respecting the high civilization of the Hindus. These opinions were gradually expiring of their own accord. They are now far from common among the younger portion of the gentlemen returned from India. They are almost confined to the old set : men who borrowed their opinions at an early day, and who feel the usual reluctance to part with them. I risk, I am satisfied, nothing at all, in predicting, that in ten years, and in less time, all the world will be of Mr. Mill's opinion on the subject of the Hindus. . .

Westminster,

PHILO-HINDU

13th Dec. 1818.

- (b) Mr. Mill, in his preface, lays down the doctrine, that a person who has never been in India, is the better qualified for writing its history, from his impartiality in balancing evidences, &c. He may be right in this, it must be received with some qualification. I think such men as Elphinstone, Malcolm, Ochterlony, who have carried on the great game of politics in Asia, are obviously unfit persons to write its history. The intense personal interest they took in these events, must incapacitate them from forming a sound judgement, but the same reason does not apply to men of equal ability in more retired situations. Had Leyden, or Wilford undertaken the History of India, they must have possessed advantages unquestionably superior to those of Mr. Mill. Their practical observation and experience of the living frame of society, as it exists in Asia, must have enabled them to balance the testimony of authors infinitely better; whilst their profound acquaintance with the ancient languages rendered them altogether independent of the biassed interpretations of Missionaries, upon which Mr. Mill has principally depended in forming his estimate of the Hindoo character. They would not have committed such errors as Mr. Mill, who takes many things for granted, which the slightest inquiry would have disproved; thus he gravely expatiates upon the absurdity of the Hindoo rules of legal evidence, because it is mentioned in the Institutes of Menu, that persons who have bad teeth or stinking breath are disqualified from giving evidence in a Court of Justice. Surely a person who had been in India, would never have committed such an absurdity. . .

To conclude, both have their characterietic virtues and vices, only I think Mr. Mill has not done justice to the moral character of the Hindoos; in other respects I should think his work the most profound that has ever been published on British India.

Oriessa, April 16, 1820.

ASIATICUS

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*Department of Comparative Literature,
Jadavpur University.*

APPENDIX

MR. MILL ON LAND TENURE

(This article had been set up before the melancholy intelligence of Mr. Mill's death was received)

We are not surprised that Mr. Mill's extreme opinions on the subject of Land Tenure are now appreciated at their true worth in England. So long as the Philosopher indulged in abstract speculations, or dogmatized on land questions affecting India or other distant countries, the English public did not seem to care much for his views, but as he now seriously proposes to apply his principles to the distribution of landed-property in England, they appear to be thoroughly awakened to their dangerous and revolutionary tendency. We reprint in another column a vigorous article from the *London Times* on Mill's recent speech at the Land Tenure Reform Association. It is a masterly answer to the socialists, whether in England or in India, who would reduce the landed proprietors to one dead level of poverty, and vest all propriety in land in the State. It is fortunate for India that at this juncture English opinion has been roused to the true import of Mr. Mill's revolutionary doctrines. Let us briefly examine these doctrines.

Mr. Mill says :

We hold that land—in which term we include mines (cheer) and the whole raw material of the globe—is a kind of property unlike any other. The rights of private individuals to something which they did not make, or help to make, but which came to them by bequest or inheritance from people who also did not make it or help to make it, are a totally different thing from the right of every one to the product of his own labours and sacrifices, or to the product of the labours and sacrifices of those who freely gave it to him. (Hear, Hear) What a man has earned by his labour or by the expenditure of what has been saved from previous earnings, he has a fair claim to do what he likes with, subject only to the general rules of morality. But he who—detains the land—a thing not made by man, a thing necessary to life, and of which there is not enough for all—is in a privileged position. Whether it is right or wrong that he



should be in such a position he is so. He is, in a word a monopolist (loud cheers) ; and a monopoly should be exercised, not at the mere will and pleasure of the possessor, but in the manner more consistent with the general good ; the State has exactly the same right to control it that it has to control, for instance the railways. (Cheers)

In propounding this theory Mr. Mill seems to assume as if the acquisition of landed property has not cost labor, capital, skill, and knowledge, as if it has come ready made into the hands of its fortunate possessors, as if, it is not a commercial commodity like other articles. What is called property is in its foundation more or less traceable to the bounties of Nature, but as she has not been equally propitious to all, it would be gross injustice to hold that all should be invited to participate equally in the benefit of property, despite differences in the capacity, talents, skills, and knowledge of different individuals. Mr. Mill seems to ignore entirely the history of property law, custom, tradition and prescription, his aim is to reconstruct society on a new basis. This is nothing less than rank Communism, but the good sense of society—happily condemns it. As the *Times* says :

The doctrine is nothing better than Communism in profits of all kinds and the only effect of applying it to land would be that of applying it to business—it would prevent any one becoming a merchant or a landowner. It is a mere sophism to say that land is different from all other things because it is not made by man. Nothing is made altogether by man, and nothing is made altogether without man—Land least, perhaps, of all. The working classes are too likely to be tempted, as we have said, by a proposal to exempt them from their just burdens by a direct taxation on property, but the theory of Mr. Mill's suggestion will not bear a moment's examination.

Mr. Mill thus develops his theory of confiscation of property in land. He observes :

We affirm that this spontaneous increase of value may justly be taken for the public by means of special-taxation. These are the two chief points of our programme :—First, no more land, under any pretext, to become the private property of individuals (Cheers) ; Secondly, taxation on the land in order to give the benefit of its natural increase of value to the whole community, instead of the

proprietors, those being allowed the option of relinquishing the land at its present money value . . .

The land of the world—the raw-material of the globe—in all prosperous countries constantly increases in value. The landlord need only sit still and let nature work for him ; or to speak truly, not nature, but the labour of other men. What is it that has produced the prodigiously increased demand for building land, which has created the colossal fortunes of the Grosvenors, the Portmans, the Stanleys, and others of our great families ? It is the growth of manufactures and the increase of towns. And what has produced that ? Your labour and outlay ; not that of the landlords. The same labour and outlay — namely yours, not theirs — produces a steady increases (sic) of demand for agriculture and mining products causing prices to rise and rents to increase. No other portion of the community has a similar advantage. The labouring classes do not find their wages steadily rising as their numbers increase ; and even capital — its interest and profit — instead of increasing, become a less and less percentage as wealth and population advance. The landlords alone are in possession of a strict monopoly, becoming more and more lucrative whether they do any thing or nothing for the soil. This is of little consequence in a country like America, where there is plenty of unused land, waiting for any one who chooses to go and cultivate it ; in an old country like ours, with limited land and a growing population, it is a great and increasing grievance. We want the people of England to say to the landlords : "You are welcome to every increase of rent that you can show to be the effect of anything you have done for the land ; but what you get by the mere rise of the price of your commodity compared with others — what you gain by our loss — is not the effect of your exertions, but of ours and not you (Cheers) but we ought to have it." (Loud Cheers) They will say, "But we bought our land as a property increasing in value, and the probable increase was considered in the price." Our answer to that is, "If you are dissatisfied, give up the land (Cheers) ; we will pay you back, what you gave for it, and even what you could have sold it for yesterday morning. (No, no, and Cheers). That is all you have a right to, we give you that, and the nation will gain the difference between the present and future value. It dose not seem to me possible to contest the Justice of this arrangement provided it can be made to work, but many persons think that it would not work. They say it would be impossible to ascertain the amount of the unearned increased rent. It would be impossible, if we attempted to cut too close. The amount could not be ascertained within a few pounds. But we do not want to anything impracticable. Neither do



we wish to be harsh. We are willing to leave an ample margin for mistakes. But we demand the recognitions of the principles that a kind of property which rises in value while other kinds remain stationary or fall, may justly on that account, be subjected to special taxation. When it (?) is notorious that rents have increased, and are increasing, not only where there has been improvement by the landlord, but where there has been no improvement, or improvement solely by the tenant, a tax which takes from the landlord no more than that increase is within the just rights of the State. It might be necessary to have a periodical valuation of the rental of the country, say one in ten or once in 20 years. The landlords could easily keep a record of their improvements. Let them retain all increase which they could show to be of their own creating, make a fair allowance for any diminution of the value of money, give them the benefit of every doubt, and lay on the remainder as a tax to the State. If the country continues prosperous, this tax would in time produce a considerable revenue, to the great relief of the taxpayers, while any landlord who thought himself harshly dealt with could avail himself of the option of resigning his land on the terms originally offered—namely, at the price he could have obtained for it before the introduction of the new system. (Cheers)

We should say at the outset that the above remarks do not apply to Bengal. Here nearly one third of the lands still lie waste, and it cannot, therefore, be said that cultivators cannot find lands to till. If they choose to crowd in districts already overpopulated or thickly cultivated, it is not the fault of the landlord. So for the doctrinaires, who would confiscate the land in Bengal, would find that according to the theory of their master this county is not situated like England, and there principles are therefore inapplicable to it. As for the "uneraned increment" of rent owing to general prosperity we cannot better answer this point than in the words of the *Times*, which remarks as follows: "Mr. Mill's principle is that landlords have no right to any increment in the value of their property which is not due to the capital they have themselves expended on it. If the growing prosperity of the county or the accidental development of a town have increased a landlord's rent, he is to be regared as a monopolist of the bounties of providence, and all his additional profits are to be taken from him by means of taxation, and thus distributed among the whole mass of the community. It should

be enough to ask where the process is to stop. Where is the property, or even the skill and genius, which do not acquire an "unearned increment" from the general advance and prosperity of the community? Mr. Mill, indeed, seems to see the necessity of going beyond Land, for he speaks not merely of mines, but of "the whole raw material of the globe". The landowners need only ask that, in common justice, their particular raw material should not be taxed until the procedure can be rendered equitably universal. Are we to understand, for instance, that the fortunate possessors of iron ought to be deprived of the "unearned increment" which accrued to the value of their property when steam and railroads introduced an iron age? The very reference to these other kinds of raw material should have restrained Mr. Mill from his astonishing assertion that "no other portion of the community has a similar advantage with the landlords. The Labouring classes do not find their wages steadily rising as their numbers increase, and even capital, instead of increasing its interest and profit, obtains less and less percentage. Is it not notorious that the worst of all percentages is that returned on the investment of money in Land? But why does not the same principle apply to Commerce? An industrious father founds a sound business, which he leaves to his son. Meanwhile, the general prosperity of the country gives an impulse to all trade, and special circumstances favour the particular business in question. The son becomes a millionaire. What is to present Mr. Mill saying to him as he says to the landlord, "what you get by the mere rise of the price of your commodity"—a raw material, perhaps—"compared with others is not the effect of your exertions, but of ours; and we, not you, ought to have it?" Indeed, general prosperity is a relative term, and the result of a combination of circumstances. The different classes of property act and react upon each other, and the value of labor is not a little influenced by prosperity in trade and the development of the resources of the soil. Why should then a particular class of property be singled out for taxation, and the rest left untaxed? The interests of the community are best conserved by removing all clogs upon the springs of industry, and giving fair play to capital and

energy. Competition, we hold, is the best regulator of the wealth of the nation, but it will receive a serious check by withdrawing all motive to individual exertion. Mr. Mill's principle has been partially applied to the periodically settled provinces of India, and the result is one dead level of poverty. We hope that now that England's attention has been roused to the revolutionary tendency of Mr. Mill's doctrines, she will arrest the mischief which is being wrought in India. A greater misfortune cannot befall a country than a pauperized landed gentry. That nation is sure to lose its vitality, which is deprived of all incentive to the improvements of the chief source of its wealth, viz, land.

From another point of view the doctrines of Mr. Mill do not also apply to Bengal. In England a few persons monopolise the property in land, but in Bengal there are proprietors and proprietors. The sub-proprietary system in Bengal cures in practice the evil, against which Mr. Mill so indignantly protest in the case of England. He says, "To create a valuable property for the rich by expelling the poor from that use of the land for pasturage which they enjoyed in practice, though not by legal right, and along with it from the use of the land for healthful recreation, and from the power of wandering over it at will when they have no other place in which to enjoy nature except dusty roads—can anything more like Ahab the king's seizure of Naboth's little vineyard, or the rich man in the parable, who with his great flocks and herds could not be happy without robbing his poor neighbour of his single ewe lamb?" It cannot be said that the poor have been "robbed" in Bengal. The vast number of sub-proprietors and of cultivators with occupancy rights in this province is the best practical answer to the doctrine that the land should not be reserved only for the rich. What the rich enjoy is merely the usufruct of their capital, and we cannot believe that Mr. Mill would refuse one the legitimate use of his capital. If he holds that all property is theft, that capital has no rights, that individual energy and industry are not entitled to protection, we have nothing to say to such monstrous doctrines.

The Hindoo Patriot, May 12, 1873.

BOOK REVIEW

The English utilitarians and India, by Eric Stokes. O. U. P., 1959, reprinted 1969. 350 pages.

'The M'Choakumchild school was all fact, and the school of design was all fact, and the relations between master and man were all fact, and everything was fact between the lying-in hospital and the cemetery, and what you couldn't state in figures, or show to be purchasable in the cheapest market and saleable in the dearest, was not, and never should be, world without end, Amen.'

(Dickens, *Hard Times*)

'Efficiency has been our gospel, the keynote of our administration. Efficiency of administration is in my view, a synonym for the contentment of the governed. It is the one means of affecting the people in their homes, and of adding only an atom it may be, but still an atom, to the happiness of the people.' (Lord Curzon on India)

THE gradual change that came over the English society from the early days of Renaissance, which saw its transformation from a feudal to a capitalist society, brought in its wake a unique form of individualistic social philosophy based solidly on the notion of security of private property. This trend culminated in the early nineteenth century England in the philosophy of the Utilitarians, somewhat sanctimoniously and misleadingly known as the Philosophic Radicals. Taking as their basic philosophic unit an individual's pleasure or pain, the English Utilitarian Jeremy Bentham and his chief disciple James Mill advocated a philosophy, taking as their catchword 'the greatest happiness of the greatest number.' As a philosophic school it had the advantage of combining an individualist rationalist ethic with a comprehensive and rigorously laid out scheme for legal, economic and political institutions of the society. Thus it met the major demands of an emerging middle-class industrial society.

Help received from Malini and Mihir Bhattacharya, Barun De, Subir Raychoudhuri and Ashok Sen, in writing this article, is gratefully acknowledged. They are not, however, responsible for any of its innumerable flaws.

It will be wrong to think of Utilitarianism as the short lived school of philosophy that lasted from about the middle of the eighteenth century to the middle of the nineteenth. Though the official group of Utilitarians were extinct long before the end of the nineteenth century, it left permanent traces on the dominant ideology of the liberal democracy of western Europe. As G. M. Young points out, in no uncertain terms, 'it would be hard to find any corner of our public life where the spirit of Bentham is not working to-day.'¹ It is a tribute to the potency of this school of philosophy that it has inspired a number of important studies. In the nineteenth century apart from Dickens' telling caricature of the Utilitarians in *Hard Times* we have the three volume account of the English Utilitarians by Sir Leslie Stephen, who was something of a Utilitarian himself.² In 1928 came out the English translation of the brilliant and seminal interpretation of the movement written in French by Professor Elie Halevy, *The Growth of Philosophic Radicalism*. In 1949 Professor John Plamenatz published Mill's Utilitarianism with a study of *The English Utilitarians* which brings out the living appeal of the school of philosophy for the upholders of the liberal democratic institutions today. The story of the Utilitarians is, therefore, a well-narrated one and it is possible to draw a few inferences from these illuminating studies which might set the right historical perspective for the discussion to follow.

From those studies it is quite clear that Utilitarianism originates in the philosophy of Hobbes and Locke.³ From this origin arises the dual aspect of Utilitarianism, its foundation in the need of the individual and the importance of a deliberately organised civil society to safeguard the interests of the propertied individual. Any discussion of the Utilitarians should keep in mind their origin in what Professor C. B. Macpherson has very illuminatingly called the theory of 'possessive individualism' the basic assumptions of which is 'that man is free and human by virtue of his sole proprietorship of his own person, and that human society is essentially a series of market

⁴ The Utilitarians skilfully adopted this to the

changed needs of the industrial democratic society that was clamouring to emerge in England during the first three decades of the nineteenth century. In the hands of Bentham and James Mill and the classical Political Economists the inexorable laws of the Economic Man emerged as the sole guardians of human progress and happiness.

The philosophy of the Utilitarians received an unprecedented social momentum in the years immediately preceding the first Reform Bill of 1832. Theirs was just the shade of radicalism that suited the up and coming middle-classes, the new propertied interests who wanted a share in the government. Referring to these years Professor Elie Halevy reminds us, "There was no doubt that Radicalism, crushed in 1819, was reviving, but it was under a new form. It was no longer Cobbett's agrarian Radicalism, at once reactionary and revolutionary . . . Nor was it the Radicalism of Byron, pessimistic, romantic and aristocratic . . . It was the Radicalism—respectable, middle-class, prosaic, and calculating—of Bentham and his followers."⁵ Professor G. M. Young's portrait of Victorian England gives a pithy account of the dynamic role played by the Utilitarians in giving shape to the progressive image of the prosperous English society. "To articulate the creed of progress, to state its evidences and draw out its implications was the mission of that remarkable group of men variously known as the Utilitarians, or the Philosophic Radicals. In discipleship or reaction no young mind of the thirties could escape their influence."⁶ What emerges even from such generalised accounts of the period is that in spite of their rigidly formulated philosophical approach, the Utilitarians succeeded in coalescing their cause with other dominant groups in the society, such as the Evangelicals and the Whig Liberals.

Nowhere is this collaboration more fruitfully achieved than in the case of the Utilitarian programme on India. Professor Eric Stokes' neat, middle-sized monograph *The English Utilitarians and India*⁷ traces the interaction of the different forces of reform operating on the gigantic task of reorganising the Indian society to suit the new demands created by the industrial era in



England. Professor Stokes begins by providing the economic rationale of the wave of the social reform with which the British assailed the Indian society during the twenties and the thirties of the nineteenth century :

However confused the surface of events, the tide of British policy in India moved in the direction set by the development of the British economy. The Industrial Revolution and the reversal it brought about in the economic relation of India with Britain were the primary phenomena. A transformation in the purpose of political dominion was the main result. Instead of providing a flow of tribute . . . the British power in India came to be regarded after 1800 as no more than an accessory, an instrument for ensuring the necessary conditions of law and order by which the potentially vast Indian market could be conquered for British industry. This transformation of economic purpose carried with it a new, expansive and aggressive attitude . . . The missionaries of English civilization in India stood openly for a policy of 'assimilation', Britain was to stamp her image upon India. The physical and mental distance separating East and West was to be annihilated by the discoveries of science, by commercial intercourse and by transplanting the genius of English laws and English education. It was attitude of English liberalism in its clear, untroubled dawn . . . The material and intellectual elements of which it was composed were the three movements . . . Free Trade was its solid foundation, Evangelicalism provided its programme of social reform, its force of character, and its missionary zeal. Philosophic radicalism gave it an intellectual basis and supplied it with the sciences of political economy, law and government. (p. XIII-XIV)

This could have provided the socio-economic framework within which one could assess the injection of social welfare that characterises the British rule in India during the early decades of the nineteenth century. The first three decades of the nineteenth century, culminating in the regime of Bentinck, may be considered as the era of proto-imperialism that paved the way for the imperialism proper of the later years. Characteristically enough, in Bengal, the earliest part of India to be conquered by the British, these are considered as crucial years of social reform, resulting in great 'moral upliftment' of the society. It is with a liberal historiographic myth of western Europe that this period in Bengal is characterised. 'Bengal Renaissance' is the widely accepted label for the euphoria of these years of social reform.



The candid formulation of the grim economic reality that lies behind this social phenomenon with which Professor Stokes sets out in the passage quoted above, therefore, raises considerable expectation of an unravelling of the social change that the English liberals of the Reform era had engineered in the parts of the Indian society over which they had control.

The book *English Utilitarianism and India*, however, does very little to fulfil this expectation. One of the main reasons for this may be that a vast and comprehensive Utilitarian programme on education, land revenue and law have been presented in too compressed a form. This compact, middle-sized volume narrates the entire story of the English Utilitarianism in India from its early liberal phase of reform to the later hardening of the legal Imperialism of Fitzjames Stephen leading to the eloquent panegyric of British India by Strachey. This neat pattern has been possible because the book is mainly devoted to the relative placing of the several brands of English thought on the subject of reorganising the Indian society—the Whig Liberal, the Tory Evangelical, the classical Political Economists and the Utilitarian. Taking India as a spring board, the book studies some of the dominant social ideas of England in the nineteenth century. The book, in other words, is taken up entirely with the stimulus aspect of British social reform in India and tells us very little about the response to the programme.

But the subject has considerable importance for students of modern Indian society and culture. However, instead of going thoroughly into the detailed analysis of the subject, the present discussion aims at merely pointing out some of the awkward problems of assessing the impact of the Utilitarians on the 'enlightenment' that the British were supposed to have brought into India at the beginning of the nineteenth century. The discussion will be limited to Bengal not only because the present writer is relatively ignorant of the cultural climate of the other parts of India. As the earliest conquered territory and as the base of the East India Company's trading and commercial activity, Bengal received the most intensive dose of western enlightenment during the years immediately before and after the

first Reform Bill. The zeal with which the Liberals and the Utilitarians despite their surface animosity combined to trim their own social institutions to suit the changed needs of the industrial era hit the shores of Bengal with great vehemence. James Mill's *History of British India* and the Evangelical strain among the missionaries both combined to paint a degraded picture of the indigenous society. Enlightenment was seen as emanating from Europe which offered rationalism, scientific and technological dynamism. The enthusiastic identification felt by the earliest Bengali enlightened stalwarts such as 'Prince' Dwarkanath Tagore and Raja Rammohun Roy with the English 'Free Trade' lobby was ably supported by the readiness with which the western liberal culture was imbibed by the Bengali intelligentsia. Thus a new cultural milieu was born in Bengal which directly served the interest of the British manufactureres. The hide bound traditional Indian artisans were swept aside by the modern wave of British machine made goods. On the cultural scene the urban élite of the 'chance erected' city of Calcutta signalled the era of progress. Formation of modern Bengali prose in the hands of Rammohun and Vidyasagar symbolised the cultural momentum brought by the western liberal rationalism, which released the Bengali mind from the traditional bonds of *payar*. Education in the western liberal style was the spearhead of this social change.

The Utilitarian framework is itself a useful tool in judging such a cultural phenomenon. One of the consequences of their rigid scientific theory of society was that the earlier Utilitarians viewed the cultural or educational aspect of the society as mechanically geared to its economic and socio-political institutions. The autonomy of culture which was propagated by the organicist school,⁸ aided by the facile Liberal optimism about progress had little or no meaning for the earlier Utilitarians like Bentham, James Mill and the early years of their periodical *The Westminster Review*.⁹ Having faith in the infinite malleability of human nature, they believed in fitting education into the general scheme of institutional changes that would automatically generate happiness by virtue of its very rationality. If one has

to evaluate the cultural awakening through education in early nineteenth century Bengal in terms of the Utilitarians themselves, one will have to carefully measure the exact nature and extent of the social change that is brought about by the rationalist education that the British fostered with such care. Needless to say, such work was never undertaken.

Professor Stokes' study by and large leaves out the embarrassing question of the cultural impact of the Utilitarians through education. However he does face the question indirectly when he discusses James Mill's difference from the Liberal standpoint. "The divergence", says Professor Stokes, "between James Mill and the main stream of English Liberal opinion requires emphasis. It has been common to neglect this divergence and to assume that Utilitarianism was a more logical and programmatic form of Liberal belief." (p 58) The divergence is brought out in the crucial context of education. James Mill was no believer in the panacea of the spread of liberal western education as a pre-condition for social reform. The Utilitarian pattern of reform in India was stern and authoritarian, governed by the grim necessities of Political Economy and admitted of no mediating collaborators among the native educated Hindoos such as Macaulay had invoked in his Education Minute of 1835.¹⁰ Mill believed in first overhauling the legal and governmental machinery of India before the question of education could be taken up with any success. Thus the Utilitarian pattern of benevolence, as most explicitly laid out in his *History* was, as Utilitarian benevolence elsewhere, cold and authoritarian. This further explains the development of the Utilitarians from the era of reform to the rigid authoritarianism of Sir Fitzjames Stephen.

Any study of the reception of Utilitarian ideas in Bengal should bear in mind that the Utilitarians proper were never very enthusiastic about the westernised educated intelligentsia. Despite the fact that Mill's *Logic* was accepted a part of the curriculum in the colleges,¹¹ the educated Bengali gentlemen, too, responded with hostility towards some aspects of Benthamism. James Mill's denunciation of the Hindus was resented.¹² Even Bankimchandra Chatterji, who wrote an enthusiastic obituary

notice after John Stuart Mill's death and who did come under the marked Utilitarian influence, ultimately renounced it as an inadequate philosophy of life.¹³ The second source of opposition which should be studied by some historian in great detail is the Zamindar lobby in Bengal. James Mill was strongly opposed to Cornwallis' Whig Liberal measure of Permanent Settlement in Bengal. He did not see the utility of the group of zamindars for the purpose of extracting land revenue in strict accordance with the tenets of classical political Economy. The younger Mill's later writings on land tenure looked inimical to their interests of the propertied group in Bengal.¹⁴ It is one of the paradoxes of Imperialism that Utilitarianism, which aimed at creating a power axis for the middle classes in England, showed little faith in founding such a focus in Bengal.

A curious corollary of the growing disenchantment of the educated Bengali gentlemen with the inflexibility of the Utilitarian stand on India, may be seen in their espousal of the Positivist cause. There is a popular misconception that Utilitarianism and Positivism are almost synonymous terms for rationalist, scientific schools of thought which had influenced the educated Bengalis in the nineteenth century. One could in fact, characterise the Bengali espousal of Positivism as something of a reaction against the 'bloodless' social philosophy of the Utilitarians. In his lucid exposition of Positivism in the pages of *Bharati* by the noted Bengali Positivist Krishnakamal Bhattacharya we get some idea as to what attracted these rationalist intellectual about Positivism. Krishnakamal mentions love born out of sympathy, natural laws and progress as the three cardinal features of Comte's Religion of Humanity. Interestingly enough he visualises the sneering laugh with which the disciples of Malthus are likely to receive his glowing account of the Positivist faith in progress.¹⁵ The so-called Utilitarian cold authoritarianism which we have already noted, also turned the educated élite of Bengal towards the warm, friendly anti-imperialist attitude of Richard Congreve and his disciples Lobb and Geddes who actually worked in Bengal. This is not the place to go into the details of the story, some of which have already been

narrated by others, but it should be pointed out that the years when Positivism was most active in Bengal were the 'seventies and the 'eighties when Utilitarianism in India had become hardened into a machinery for codifying the legal system and extracting land revenue from the pauperised peasants. Sabyasachi Bhattacharya in his 'Positivism in 19th Century Bengal' is, however, right to point out the basic élitism of the Positivist enlightenment.¹⁶ In contrasting Utilitarianism and Positivism, therefore, it would be wrong to over-emphasise the quality of the social programme offered by the Positivists for the Bengali society.

This leads us to our general conclusion about the problem we have been outlining above, a conclusion which may appear to some as a bit of a *volte face*. That is, when all is noted, is there any real justification in making these subtle differentiation between the Clapham sect, the Whig Liberals, the Positivists and the Utilitarians, in the face of the totality of the change that the British rule had brought into the Indian society? While the Utilitarian distinctiveness should certainly be noted and its consequent effect on the Indian society analysed, as far as the Indian society is concerned, the onslaught of the west European rationalistic models of welfare had a monolithic look about them and called for little nice distinction. It was all based on the notion of the self-interest of propertied individuals, the divergence merely relating to some niceties of definition about who were going to be the beneficiaries of the system. The scientific rigour of the Utilitarian 'felicific calculus' could be seen by the cultural historians of nineteenth century India as a safeguard of the economic self-interest of the British manufacturers. It is a pity that having begun with this insight Professor Stokes writes his book making pretty distinctions between different shades of British authoritarianism. A definitive work on the subject will have to disentangle the messy history of the British tampering with the Indian social institutions in their educational, economic and legal aspects. Once that has been fully grasped, a truer picture of the cultural impact of the British social reform may emerge.

In the case of Bengal, in particular, it may be positively misleading to be carried away by the attack on the Utilitarians by the educated intelligentsia. The tension between the Utilitarians and the Zamindars as well as the professional propertied groups, should be examined in economic terms over a period of a few decades. The social monopoly of the zamindars that Mill disliked, soon gets diffused through the upper crust of the society, among the professional classes who benefit from the educational and legal reforms and who emerge as the vocal lobby of landed gentlemen often with sub-proprietary rights. In some ways they fulfil the Utilitarian criterion of middle-class leadership. In other words, we have the paradoxical situation that, though in its doctrinaire form Utilitarianism was opposed to any form of 'representative government' for the people of India, the diluted version of their social programme that was effectively diffused through the Bengali society did result in the formation of a propertied group, eager to take larger share in the government in order to safeguard their self-interest. Macaulay's contribution alone is of singular interest here. Professor Stokes misses the point when he emphasises the difference between Macaulay's Whig optimism about progress and James Mill's pessimism about human nature in the context of India. Macaulay bases his Education Minute of 1835 quite clearly on James Mill's denunciation of the indigenous cultural institutions, with a clear aim at promoting British commercial interests.¹⁸ Macaulay's membership of the Indian Law Commission, as everyone knows, owed not a little to James Mill's special effort. Professor Stokes quite justifiably, devotes a lot of space to his activity in organising the legal system of British India.¹⁹ Here, one should note he rather emphasises Macaulay's obvious debt to Bentham's passion for codification of law, of penal law, in particular. The efficacy of the Utilitarian scheme may be seen in the fact that British rule in India became synonymous with law and security for the enlightened Indians belonging to the upper strata of society.

There is thus considerable scope for measuring the range of the social dynamism that the 'scientific' rationalist school of

human felicity brought into the Indian society. In the context of English society, though the devoted followers of Utilitarians petered out, the school was assimilated into a Millian pattern of socialism which formed the basis of the modern bourgeois democratic welfare state of Britain. In the Indian context even such a transformation was not possible. Here Utilitarianism provided the rationale for strengthening the iron fetters of the British Raj. Even rationalism, when it forms the basis of a 'false consciousness' of liberty, ultimately produce further enslavement.

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10. Stokes, Eric. *Op. cit.* p.56-58.
11. Gupta, Bepinbehari. *Purātan prasanga* ; 2nd Vidyabharati ed. 1373 B.S. p.194.
12. See : Raychoudhuri, Subir. 'The Governor and guru', p.332-36 for a discussion of the first critical review of Mill's *History* by Kashiprasad Ghosh.
13. Chattopadhyay, Bankimchandra. 'John Stuart Mill', in : *Bankim rachanāvali* ; vol. 2, ed. by Jogeshchandra Bagal, Calcutta, Sahitya Sansad, 1366 B.S. p.800.
See also : *Dharmatattwa (anushilan)*. *Supra.* p.653.
হিতবাদ মতটা হাসিয়া উড়াইয়া দিবার বস্তু নহে। হিতবাদীদিগের ভ্রম এই যে, তাঁহারা বিবেচনা করেন যে সমস্ত ধর্মতত্ত্বটা এই হিতবাদ মতের ভিতরই আছে। তাহা না হইয়া ইহা ধর্মতত্ত্বের সামান্য অংশ মাত্র।
14. 'Mr. Mill on land tenure', *The Hindoo Patriot*, May 12, 1873.
15. Bhattacharya, Krishnakamal. 'Positivism kābake bale', *Bhārati*, Aswin 1292 B. S. p.300.
16. Bhattacharya, Sabyasachi. 'Positivism in 19th century Bengal', in : Sharma, R.S. ed. *Indian society : historical probings*. New Delhi, 1974. p.343.
17. Eric Stokes' book is obsessed with these distinctions. See in particular the chapter entitled 'The Doctrine and its setting', p.1-80.
18. The relevant passages from Macaulay's *Minute* dated 2nd February, 1835 are given below :
The question now before us is simply whether, when it is in our power to teach this language, we shall teach languages in which, by universal confession, there are no books on any subject which deserve to be compared to our own ; whether, when we can teach European science, we shall teach systems which, by universal confession, whenever they differ from those of Europe, differ for the worse ; and whether, when we can patronize sound Philosophy and true History, we shall countenance, at

the public expense, medical doctrines, which would disgrace an English farrier,—Astronomy, which would move laughter in girls at an English boarding school,—History, abounding with kings thirty feet high, and reigns thirty thousand years long,—and Geography, made of seas of treacle and seas of butter. (p.12)

... In India, English is the language spoken by the ruling class. It is spoken by the higher class of natives at the seats of Government. *It is likely to become the language of commerce throughout the seas of the East.* (p.11. Italics mine).

19. Stokes, Eric. *Op. cit.* p.190-233.
20. The phrase is a conscious echo of Sumit Sarkar's use of it in 'Rammohun Roy and the break with the past' (unpublished typescript) p.2.

*Department of English,
Jadavpur University.*

JASHODHARA BAGCHI

ON FREEDOM

[BY RAJ KRISHNA DEY]

There is exulting pride and holy mirth
In Freedom's kindling eye !

Richardson's Sonnet xxix

IT must be acknowledged by every man, be he a freeman or a slave, that the very name of *Freedom* "sends a thrill" of ecstatic joy through his heart. When we enjoy freedom—when we /5/ are masters of ourselves—when we think and act as we please, of course with a sense of our moral obligations—when we have not to "flatter the foibles and follies" of another for the promotion of our well-being, then every one laying his hand upon his bosom, must confess that he feels a kind of unalloyed pleasure that is not to be paralleled by any other within the compass of our nature. Not only man but all living creatures feel extremely happy in being free. When a bird is confined in a cage, how painfully does it flutter about its sides straining every nerve, and how scornfully does it refuse the food we give it ; all on account of the deprivation of that inborn gift with which Nature has blessed it, of the freedom of flying in the open air. But restore it its liberty, and it will fly at once to its congenial haunts—the cool shades of groves ; there perching upon a branch of a tree it will sing so melodiously and charmingly as to entice the angels to come down from heaven to drink the sweetness of its song ! Some perhaps will object to the general application of this observation, thinking it only refers to the nightingale or the cuckoo, and not to the screech-owl that rends the air as it were with its loud and discordant voice. But let me tell them if they are lovers of freedom that when the free owl screeches in its hour of cheerfulness, they will find even its screeching to be not a little pleasing, in so much as it will imply its happiness. The sound itself may be discordant ; but when it signifies happiness a good



heart bids it welcome. In the same way every man's experience will convince him that all other creatures are gay, and sprightly, and cheerful when they are at liberty, and dull, and sorrowful, and grovelling when in bondage.

As plants thrive best when they are of spontaneous growth, nourished and watered by the hands of Nature, so the human mind improves most when a wide and free scope is allowed to its operations. Now in order to attain such an object we must live in a country, where our freedom, our lives, and our property are secure. We have the examples of the ancients before us to shew—to what a considerable degree of perfection human nature can be raised—what great improvements they made in literature, science, and the arts—how they distinguished themselves by noble acts of valour—what liberal sentiments and grand ideas filled their minds when liberty blessed Greece and Rome with her presence. Socrates, in his Academy, instilled into the minds of youth the principles of virtue and morality; Plato, in Lyceum enjoying the blessings of a free man, formed his grand Theory of Ideas; Aristotle, in the enjoyment of freedom, composed his celebrated treatise on Logic which has instructed men in the art of reasoning for more than two thousand years, and will most probably instruct them to the end of time. And Demosthenes, by his heart-rousing eloquence, excited the free-born and patriotic Greeks to take arms against the enemy of their country. What illustrious men did Rome produce when liberty animated the mind of her sons! What patriotic feelings nourished by freedom warmed the heart of the wise and learned Cicero when he saved his country brought to the verge of ruin by the conspiracy of Catiline! The effects of freedom were very conspicuous among the Romans. They from a small community rose, by degrees, to a large republic, and in the course of time usurped the sovereignty of the world, reduced the nations of the earth under the yoke, and communicated to them their sciences, arts, literature, manners, customs, &c. to leave to posterity the monuments of their greatness. But how degenerate did the Romans become in their latter days when liberty fled from the corruptions which affected both the emperors and their subjects. A body of



undisciplined barbarians overturned the vast fabric of the Roman Empire feebly defended by a dastardly race descended from those noble heroes to whom once the world paid homage.

That the Swiss when they laboured under Feudal servitude were in the most miserable state imaginable, is well known to the historical student. The Swiss, holding his property, his freedom, and everything that is dear insecure and without that improvement of the intellectual and moral powers with which a liberal education is attended, his mind knew not one noble thought and was never alive to the beauty of that grand scenery with which Switzerland is adorned by Nature. But as soon as the Swiss became free, they formed that noble republic which is so gloriously conspicuous in the history of modern Europe. The land that once lay uncultivated, on account of the tyranny of the Feudal barons, are now highly fertile. The Swiss now enjoy the greatest of worldly blessings, peace and political freedom ; and are adorned by all those private and social virtues which bless and dignify man as an individual and a member of society.

Alas ! how sad is the condition of the negro slave, doomed to labour for ever on the foreign soil of the West Indies and domineered over by a haughty and cruel planter ! He knows not what freedom is, nor what a native country is ; he is a stranger to the rights and happiness of a free man. Plodding from sunrise till sunset with the pain of a thousand lashes on his back, without the least prospect of rising into consequence in the world and enjoying the fruits of his labour : all these evils he is compelled to endure, solely because he is deprived of that which makes man feel proud of his nature and say, I AM A FREE MAN. But see on the other hand the free-born British peasant ! He is conscious that, though he is of a class that is one of the humblest, he is as free as the noble lord whom he serves ; that he has a [place] in the management of public affairs ; /6/ that he is governed by no arbitrary laws but those which he himself had agreed to establish for the public welfare ; and that he disposes of his little earnings in the manner most agreeable to his own choice. Safe from the grasp of despotism, how happily does he spend his days, commiserating the wretched fate of his fellow

labourers in the West Indies, and wishing they were as free as himself.

The annals of mankind and the philosophy of the human mind truly show that the arts and sciences, or those things that contribute to the perfection of which our nature is susceptible and make man as he should be, are only coexistent with freedom. Wherever this boon is denied to men, knowledge, which is emphatically and truly called *power* by Lord Bacon, is also sure to be denied to them. In the Turkish state, where the Sultan and the Pashaws or governors of provinces at the meridian of oppression wring out the last *cauri* from the pocket of the poor peasant who earns his daily bread by the sweat of his brow, and oppress all their subjects in the same manner, it is not to be expected that any body should be able to turn his thoughts to the cultivation of the arts and sciences. The Turkish government is so tyrannical that no subject is sure that what he one moment possesses as his just and lawful property, will be in his possession in the next. Hence is it that no Turk has hitherto appeared that ever laboured to add a single iota to the happiness of mankind, or to further by a single step their advancement in civilization by his discovery or invention. A very fair comparison may be drawn between the Turks and the beasts of the field that are devoid of rationality and act by the impulse of their [passions] only. The Sultan is a creature of so grovelling and depraved a mind that he knows not what is right and what is wrong, but is always intent upon devouring his prey; and when he has obtained one he does not care by what means it has been obtained. But see on the other hand how flourishing is the state of those nations that are under the influence of freedom. Barely to enumerate the names of those men whom these nations have produced and who have rendered themselves illustrious and the age in which they lived glorious by their enthusiastic zeal and indefatigable exertions for the improvement and happiness of their fellow creatures and left behind them examples worthy of the imitation of aspiring youth, would fill up volumes. Therefore to mention a few of modern times without intending any disparagement to the admitted, noble, patriotic, and philanthropic spirit

of the ancients : La Place the author of the *mechanique 'celesti,'* Lavoisier who first showed experimentally to the French, that land cultivated on the principles of chemistry would yield a far greater quantity of corn than by any other process ; Sir Isaac Newton the author of the celebrated *Principia* ; Leibnitz the author of *Fluxions*, Sir Humphrey Davy, Woolaston the eminent chemists, Lardner to whom Great Britain is indebted for having introduced the analytical branch of mathematics into the other departments of that science, and for his incomparable and most excellent treatise on the *Integral and Differential Calculus* ; Reid who had the honour of presenting the true philosophy of the human mind to the world, and reclaiming men from their headlong and dangerous fall into the abyss of scepticism and idealism ; Howard the philanthropist, and Smith the father of the entirely modern science of *Political Economy*. While the Turk is a stranger to every liberal sentiment, how enlightened on the contrary are the minds of Englishmen boldly asserting in their national assembly the glorious principle that "man can hold no property in man".

Since I have described the effects of freedom in foreign countries, I should do injustice to my native land if I did not bestow a notice on it, for here freedom once had her shrine. On a reference to the history of Hindusthān, one shall find that one of its glorious eras was when Kālidāsa, whom Sir William Jones calls the Indian Shakespeare, was an ornament of Rājā Vicromāditya's Court. My ancestors, fired with the spirit of freedom, in the cool recesses of solitude cultivated the arts and sciences ; the *Surjya Siddhānta*, a treatise on astronomy and other works that escaped the horrid devastation made by the Mahomedan sword in India fully confirm my assertion. Although the system contained in the *Surjya Siddhānta* agreeing with the Ptolemaic system of the world, is incorrect, yet it sufficiently shows that the ancient Hindus did persue knowledge with great ardour, so as even to direct their attention and observation to the heavens. But alas ! how degenerate did the Hindus become when the barbarous Mahomedans ruled them with an iron rod, and when, consequently, freedom took her flight beyond the Himālayan

range. They then were ashamed to rank with their illustrious forefathers. The Hindus of this day ! however, under the auspicious and liberal government of the English, are enjoying a great portion of freedom, have obtained the freedom of the press—the Palladium of a nation's liberty, and are in a fair way to civilization and refinement. But if there is any truth in what news-writers say, I am afraid that this happy prospect is about to be clouded, as Lord Heytesbury, who is appointed the Governor General of India, has given a pledge to the Court of Directors to withdraw the freedom of the press and destroy the institutions established for the study of the arts and sciences which have enlightened the occidental world. But if he should really do so, in spite of "the age of reason" in which he lives, and drive the Hindus back into the /7/ state of the negroes barbarous and uncivilized, I would confine myself to this general reflection on human nature, that man frail as he is, notwithstanding his high pretensions to great advancement in civilization, improvement of the intellect, and control of the passions, allows not the least favourable opportunity to escape for the promotion of his own aggrandizement at the expense of the happiness and comforts of millions. /8/

Hindu College

R. K. D.

REMARKS ON THE "BLACK ACTS"

BY RAM GOPAL GHOSE

He, who will not reason, is a bigot ; he, who cannot, is a fool ; and he, who dares not, is a slave. *Sir William Drummond*

THE four draft Acts, with the titles specified in the margin, commonly called the 'Black Acts', which will be found in the Appendix, were published for general information in the Government Gazette, the three first on the 31st October last and the last named on 21st November 1849.

An Act for abolishing exemption from the jurisdiction of the East India Company's Criminal Courts.

An Act declaring the Law as to the privilege of Her Majesty's European subjects.

An Act for Trial by Jury.

An Act for the protection of Judicial Officers.

These Acts have excited much public attention and strenuous efforts are making to oppose their passing into law. A general meeting of British inhabitants was held in the Town Hall of Calcutta on the 29th December 1849, to memorialize the Government against the above named Acts. A memorial was adopted on this occasion. A vigorous opposition has been organised, committees have been formed

and suscriptions opened with a view to carry out the objects of the memorialists.

While the British public in Calcutta was thus excited and agitated, a report got abroad that the natives were getting up a counter memorial in support of the 'Black /45/ Acts'. My humble name was singled out as chief instigator of this movement, and as might have been expected under such circumstances, improper and unworthy motives were recklessly attributed to me.

I believe the opinions I hold regarding the merits and demerits of the so called 'Black Acts' are unknown to the writers in

the newspapers. I wish publicly to state these opinions, and to give reasons for the faith that is in me. I am induced to take this step—not from any vain idea of turning what appears to be the current of public opinion among the independent British community—not from any feelings of defiance against the energetic demonstrations of Englishmen—much less from any desire of notoriety, but from a sincere anxiety to place in their true light the opinions I hold, that no misunderstanding may exist among my European friends as to what those opinions are, serving, as it will do at the same time, to lay before the enlightened portion of my own countrymen my humble views on an important subject.

There are few among my countrymen, who have been more intimately connected with Europeans than I have been, both by business and by private intercourse. Personally I owe much to them, but I owe more to the lawyers and merchants of Calcutta for their advocacy of liberal measures calculated to benefit my countrymen. Let me not be told therefore that I desire to offend them; on the contrary I seek and value their support and co-operation. I shall never be wanting in sympathy with them in any just cause of their own, so long as that cause does not interfere with the happiness and prosperity of my own brethren of the soil. The claims of the latter to my sympathy I consider /46/ to be superior and paramount. Their interests I conceive to be my first duty to guard with jealous care when these demand that I should stand forward in their defence.

These are the principles by which I profess to be guided in forming my humble judgment of the public measures of Government.

Without further comment I shall proceed at once to state my views regarding the so called 'Black Acts'.

There are some points in which I generally concur with those from whom I am obliged to dissent in more important matters. I shall go over those with as much brevity as possible.

In the first place then, I do not by any means approve of the Act entitled "An Act for the protection of Judicial Officers,"



because in my humble judgment it is calculated to weaken the check against a wanton abuse of power. This Act has besides a greater scope than its title indicates. The protection not only extends to the judicial officers themselves, but to all those who serve under their orders. I can understand the objection to bring up a Magistrate to the bar of the Supreme Court to answer for his failure in fulfilling the requirements of English law, though he may have strictly and faithfully followed the Company's Regulations. It would be worse than absurd to punish a man for not doing that which he is not required to do. But whenever, and wherever, [a] judicial officer does that which he is not warranted to do by the Regulations, he should be directly liable to merited punishment for exceeding his powers. This salutary responsibility I conceive is proposed to be removed, or at least lightened, and I strongly object therefore to the passing of the proposed Draft Act. /47/

Next as to "An Act for trial by Jury," it is objected to, and not unreasonably, as not an Act for trial by Jury according to the meaning and spirit of the Criminal Law of England. But by the proposed Act it is optional with the prisoner to be tried by a Jury or not as he pleases. The Act cannot therefore be complained of as an absolute hardship or a positive evil. A more matured system of trial by Jury may be demanded as a safeguard for the due administration of justice. The system proposed by Government does appear to me to leave more to the control of the Judge than is consistent with the independence of the Jury. I am not however prepared to offer any practical suggestions to amend the proposed Act. Let any one more conversant with the subject than I am bring forward some improved plan and I am sure that my countrymen would gratefully support it. But whatever these suggestions may be, save us from that glaring absurdity of the English Jury system which makes it necessary that twelve men shall always be of one mind in every question submitted to their consideration.

Although I conceive the system of trial by Jury, as proposed in the Draft Act, as susceptible of improvement, it is but just to commend the spirit which prompts Government to introduce in

their judicial system trial by Jury. It is of the utmost importance for the judicial training of the natives of this country that they should be accustomed to sit and act as jurors. Such a system would teach them the nature and responsibility of public duties, it would gradually benefit them to take a greater share in the administration of justice. The natives cannot but feel the utmost gratitude for the general introduction of some well digested and /48/ judicious plan of trial by Jury. If cautiously and gradually introduced, there need be little apprehension of its not working well, since it would be but the revival of the time-honoured institution of the Panchayet.

I come now to the consideration of "The Act for abolishing exemption from the jurisdiction of the East India Company's Criminal Courts," and "The Act declaring the Law as to the privilege of Her Majesty's European subjects." The principle involved in both these Acts being so far the same that their object is to place the Europeans under the control of the Mofussil Courts, I shall not make any separate observations on the latter Act.

The objections of the British memorialists to these Acts are based upon three different grounds, namely, their illegality, injustice, and impolicy.

With reference to the first point the memorialists allege that almost from the very beginning of British settlement in India the laws of England have been firmly established and that the British-born subjects residing in India have *never* been amenable to any other laws. This is not the fact. British-born subjects may be tried and punished in the Mofussil Courts in cases of misdemeanour by other than English laws, and it is notorious that Act No. XI. of 1836 deprived Englishmen in the interior their laws and their courts in civil actions. I presume that the inference desired to be drawn from the above statement of the memorialists is that the proposed Acts are an innovation without a precedent. As a matter of fact the statement is not correct, and the inference consequently falls to the ground.

The memorialists assert that the laws of England are their birth-right, and that it is not in the constitutional /49/ power

of Parliament itself to deprive them of those laws. Mr. Dickens, who drew up the memorial is a distinguished lawyer and his view of the constitution of England may be correct. It is, however, to me quite a novel argument, for when Parliament deliberated on the subject of empowering the Indian Government to make laws for Europeans, as it did on the occasion of the last Charter discussion, no such argument as that of Mr. Dickens was brought to bear on the subject. And yet some of those who spoke upon that occasion were themselves distinguished lawyers.

But it is useless spending words upon this argument, for there is no denying the fact that Parliament has undoubtedly (whether constitutionally or otherwise I leave lawyers to decide) deprived Englishmen under peculiar circumstances of the privilege of being judged by English laws. Not to travel further, I shall content myself with giving one instance which is recorded by the British memorialists themselves. They state in the 18th paragraph of their memorial that Act 4 Geo. IV c. 81 "provides for the trial of British Military offenders against English Criminal Law by a General Court Martial". Here we have an instance where Parliament in its wisdom thought fit to deprive a most influential and large body of Her Majesty's British subjects in these territories of the privilege, as it is called, of being tried by the English Criminal Law in one of Her Majesty's Courts. If any officer, when arraigned before a Court Martial, attempted to urge its constitutional illegality, he would soon be taught a lesson by Sir Charles Napier which he would not easily forget.

The British memorialists not content with questioning the constitutional right of Parliament to subject them to /50/ the jurisdiction of the Mofussil Courts proceed to deny that Parliament ever intended so to subject them.

They deny in the first instance that the Legislature in England intended to subject them to Mahomedan Law. This objection is groundless, since that Law is not applicable to other than persons of the Moslem faith. The 5th Section of Regulation VI. 1832 declares that "any person not professing the

Mahomedan faith, when brought to trial on a commitment for an offence cognizable under the general Regulations, may claim to be exempted from trial under the provisions of the Mahomedan Criminal Code."

The memorial of the British inhabitants further argues that Parliament did not even intend to subject them to the Acts and Regulations of the local Government. I maintain that the Imperial Legislature most certainly intended by Section 43rd of 3rd and 4th Wm. c. 85. to empower the Governor General in Council to make laws for natives as well as Britons. Let me quote the Section in full.

XLIII. And be it enacted, that the said Governor General in Council shall have power to make laws and regulations for repealing, amending, or altering any laws or regulations whatever now in force or hereafter to be in force in the said territories or any part thereof, or to make laws or regulations for all persons, whether British or native, foreigners or others, and for all Courts of Justice, whether established by His Majesty's Charters or otherwise, and the jurisdiction thereof, and for all places and things whatsoever within and throughout the whole and every part of the said territories, and for all servants of the said Company within the dominions of Princes and states in alliance with the said Company; save and except that the said Governor General in Council shall not have the power of making any laws or regulation which shall any way repeal, vary, suspend, or affect any of the provisions of this Act, or any of the provisions of the Acts for punishing mutiny and desertion of Officers and Soldiers, whether in the service of His Majesty or the said Company, or /51/ any provisions of any Act hereafter to be passed in anywise affecting the said Company or the said territories, or the inhabitants thereof, or any laws or regulations which shall in any way affect any prerogative of the Crown, or the authority of Parliament, or the constitution or rights of the said Company, or any part of the unwritten laws or constitution of the United Kingdom of Great Britain and Ireland whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom, or the sovereignty or dominion of the said Crown over any part of the said territories.

Previous to the renewal of the last Charter the plan for the Government of India under that Act was explained by members of the ministry, when they brought forward certain Resolutions for the sanction of Parliament upon which the subsequent Bill

was founded. Let us see what remarks were made relative to the subject under discussion by the Right Hon'ble Charles Grant, then President of the Board of Control. After quoting the opinions of a number of eminent Indian statesmen he goes on to say "All authorities, then, were in favour of admitting Europeans, provided they were subject to the same laws and institutions and were placed on the same footing as the natives. With authorities to overlook Europeans, they might freely enter the country. It was equally just in principle and warranted by practice, that the system of judicature to place the natives and Europeans, on the same footing ; and unless they were placed on the same footing, it would not be possible to allow Europeans free access to India. In the meantime, he trusted that the Legislature would arm the Government in India with power to make such regulations for the control of the natives and Europeans as would have the effect of gradually approximating the two people and the laws of the two countries, and pave the /52/ way for ultimate assimilation. The principle which he thought indispensable to lay down was, that no European should enter India but upon the express condition of being subject to the local laws and regulations." Mr. Grant continues to say that "for this purpose he proposed to strengthen the legislative power of the Governor General and Council." Further on, the Hon'ble Speaker remarks—"Whatever might be the immediate regulations of the Governor General, he thought the House would agree with him, that ultimately it should be laid down as an inflexible rule that no European should enter into that country unless on the condition of being placed under the same laws and tribunals as the natives. Without such a rule he insisted it was impossible to obtain the complete identification of interest and feeling which was of paramount importance."

That no misapprehension might exist the Hon'ble Mr. Grant repeats that "He (the Englishman) was under a Government, arbitrary if they pleased—despotic if they pleased ; but still it was a Government of laws—laws which he knew, and which, if he obeyed, he had nothing to fear. But this he had adopted for a maxim, that no persons should go to India but in connection

with the interests of the natives, nay, in subserviency to their interests, for he looked upon a regard to the interests of the natives as their first duty, and as of the first importance."

These opinions were founded as alluded to above, upon the recommendations of men conversant with the affairs of India. I will only quote one sentence from an authority which ought to have some weight with the British memorialists themselves. Sir Charles Grey, formerly Chief Justice /53/ of the Supreme Court, had recorded that "If the provinces are to be opened to British settlers, let it be universally understood so, that no doubt may remain nor any ground of subsequent reproach that they go to live under a despotic and imperfect, but strong Government; they carry with them no rights but such as are possessed there by the natives themselves, and that it is impossible at present to give them either that security and easy enjoyment of landed property or those ready remedies for private wrongs, which more regularly constituted governments afford."

After the preparatory Resolutions were passed in the House of Commons, they were submitted for the approbation of the Upper House by the Marquis of Lansdown who remarked that "It would be necessary, as Europeans were to be admitted to the old settlements without licenses, that they should be liable to some restrictions; and it was for that reason that more power was to be invested in the Government. All those that went to India could not expect to be as little liable to control as in their own country; they could not expect to live with the indigenous inhabitants of that country as they lived with those of their own country; they could not expect that the native population would conform to their habits; and they should expect to be obliged to conform to the laws that Government should think proper to frame for the control of Europeans as well as of other nations."

It may be desirable perhaps to see if the views propounded by the Ministry were understood by the opposition. Hear then what Lord Ellenborough who opposed their Resolutions, said. He remarked that the power of legisla- /54/ tion in the hands of the Governor General in Council, "was to be more extensive than

had ever yet been exercised. Now, the Governor General could legislate for the natives; hereafter he was to legislate for Europeans. Another part of plan was, to place all persons in India under the same laws."

The Duke of Wellington after alluding to the extensive legislative power with which it was proposed to invest the Governor General remarked that "The object for which that power was to be entrusted had reference, he believed, to the expected increase in the resort of British subjects to India."

Few men will doubt after the extracts I have given that Parliament did intend in passing the Charter Act to subject Europeans in the Mofussil to the operations of the Regulations and Acts of the local Government. But since this has been stoutly denied and such denial put forth in a grave document which purports to be a "*Petition of Right*", I will proceed with a few more extracts in the hope of convincing the most sceptic that the view I maintain of the intentions of Parliament is perfectly correct.

The Earl of Ripon said, "It was a necessary consequence of the admission of Europeans to place them on the same footing as the natives, and under the same laws with a view to prevent injustice."

Mr. Macaulay, who was then Secretary to the Board of Control, after stating that the Government desired to remove restrictions to the admission of Europeans, goes on to say, "Unless, therefore, we mean to leave the natives exposed to the tyranny and insolence of every profligate adventurer who may visit the East, we must place the Europeans /55/ under the same power which legislates for the Hindu. No man loves political freedom more than I. But a privilege enjoyed by a few individuals in the midst of a vast population who do not enjoy it, ought not to be called freedom. It is tyranny." After dilating on this point Mr. Macaulay concludes, that "with a view to the prevention of this evil, we propose to give to the Supreme Government the power of legislating for Europeans as well as for natives."

Mr. W. C. Wynn spoke as follows in reference to the point

under consideration. "He could not approve either of the unprecedented and unlimited power vested in the Governor General and Council to set aside, at their pleasure, every right or privilege therefore granted, whether by law or charter, to the European inhabitants of the three Presidencies."

I will now quote from the speech of Mr. Buckingham, member for Sheffield, who vehemently opposed the renewal of the Charter.

"Let the House look" said he "upon the enormous powers which the Bill gave to the Supreme Legislative Council in India. Hitherto it had been the consolation of the British inhabitants of India, that the arbitrary power of the Governor General was under some degree of restraint from the control of the King's Court, for though the Governor General in Council might make any regulations he pleased, binding on the natives of India, beyond the jurisdiction of the Supreme Courts, yet for the British inhabitants he could make no regulations that should have the force of law unless they were registered in the King's Courts; and that would not be done if they were repugnant /56/ to the spirit of the British Constitution. Now however, by the unlimited power given to the Legislative Council of India, composed only of five persons, and these neither elective nor responsible in any degree to the British or Indian community, any regulation might be passed without the sanction of the King's Court; the Trial by Jury, the Liberty of the Press, the *Habeas Corpus* and every other constitutional safeguard of liberty might be suspended or abolished without appeal or without redress."

Mr. Cutlar Fergusson, formerly one of the most distinguished lawyers of the Calcutta bar, observed that "by the power given to the Governor General the benefits of these Courts (meaning King's Courts) might be taken away, and the Trial by Jury and the Liberty of the Press, in fact, every protection the British inhabitants of India had hitherto enjoyed, might be abrogated,—the law of inheritance might be changed."

Such was the construction put upon the 43rd clause by some of the members of Parliament. If it were overstrained, surely some of the framers of the Act would have risen in their place to disabuse the minds of Mr. Buckingham and Mr. Fergusson. But

let us see what follows next. Do the oppositionists propose an amendment based upon the argument that the clause under question is subversive of the constitutional rights of Englishmen? No. Do they propose its entire abrogation on any other grounds? No. They were too sensible of the feelings and views of the House to risk a division upon such an untenable ground. Distrustingly Mr. Cutlar Fergusson brings on an amendment which even if it had been adopted would not have interfered with the passing of the so called 'Black Acts'. The object of this /57/ amendment according to Handsard's Parliamentary Debates, vol. 19, page 664, "was to secure to the British and other residents of the *Town* of Bombay, Madras, and Calcutta, all the rights and privileges of British Law, as now administered by the King's Courts in those *Presidencies* respectively." A division on this amendment took place on the 15th July 1833, and it was lost by a majority of 81, there being 33 Ayes for the amendment and 114 Noes.

Let me examine the question further. When the Act No. XI. of 1836 was passed into law, the British inhabitants of this place presented a Petition to Parliament, which was drawn up by the same learned individual who has penned the present memorial. In that Petition the same arguments were used as are now urged.

The Petitioners stated—"that by successive charters of His Majesty's predecessors and numerous Acts of Parliament, all the British-born subjects of His Majesty have had confirmed to them the *indisputable* right of being governed by the laws of England throughout His Majesty's Indian territories."

In another part of this Petition occurs the passage, "that those among your Petitioners (alluding to British-born subjects) who have the *right* to be governed by the laws of England, maintain that they cannot *lawfully* be deprived of a right of appeal to His Majesty's Supreme Court."

Mr. (now Sir Thomas) Turton was deputed to England as the bearer of this Petition. Previous to its presentation to the House of Commons, the learned advocate of the Indian memorialists issued an able pamphlet on the subject in which the

question of "inalienable rights" was discussed with his usual ability. The subject of the Petition was considered in /58/ the House of Commons on the 22nd March 1838 on the motion of Mr. Ward, member for Sheffield. The motion specially indicated the very same grounds of objection to the first so called 'Black Acts', which are now brought forward. It was framed in these words. "A select Committee to inquire into the allegations contained in the Petitions from Madras and Calcutta, and to report to the House in what manner and to what extent the Act of the Indian Legislative Council entitled 'Act XI of 1836' affects the constitutional rights of the British-born subjects of India, the prerogatives of the Crown, and the interests of the United Empire."

Mr. Ward opened the debate with an able speech. Sir John Hobhouse, the President of the Board of Control, replied. He quoted numerous passages from the debate on the Charter Bill to show that Parliament distinctly meant that the power of the Legislature in India should be superior to the pretended privileges of Englishmen. He concluded these extracts by citing a strong opinion of Sir Edward Ryan, advocating the abolition of the exemption of his countrymen from the jurisdiction of the Mofussil Courts. Then comes the following remarkable passage in the speech of the Hon'ble President. "Yet this is the system in favour of which Mr. Turton promised to agitate until he saw it extended over all India. In the Mauritius, a man is tried by the Code Napoleon, in Demerara by the Dutch law, but there is not one law for one man and another for the other; and yet the Honourable Gentleman comes forward and says, that it is the privilege of Englishmen to carry their laws with them wherever they go. Now, such a statement is entirely without foundation. They never do, nor did they ever /59/ carry their laws with them to other countries. To a certain extent I admit that Englishmen may, in British India, appeal to English law; that is, they have the protection of the Supreme Courts in all cases that are fairly brought before those Courts. But when the Honourable Gentleman asserts that *Englishmen carry out with them to India English laws*, he might as well have said that they carried out West-

minster Hall with them to that empire. There never was a greater fallacy. Englishmen wherever they go, must be governed by the laws of the places they visit. In Trinidad, Mauritius, and Berbice, Englishmen submit to the different laws which are in force in those countries, and I trust that they will still be obliged to submit, in India, to the law which is laid down as well for them as for other subjects of Her Majesty, in that part of Her dominions."

Sir John Hobhouse was followed by several other speakers. Some supporting his views and others opposing them. Mr. Wynn spoke on the opposite side and ably supported Mr. Ward, but even he disallowed the idea of an Englishman's privileges travelling with him. He justly remarked "that the idea must not be entertained, — which, however, every Englishman seems to carry out with him, — that to whatever part of India he may resort, thither all the privileges and protection of the English law are to follow him, that he is to take out with him, as it were, all those privileges which he had and enjoyed in England as an Englishman. He is to understand, on the contrary, that he must be subject to all the regulations of the Empire he is entering, that he must conform to all the laws and regulations which may have been instituted and established /60/ there, that he must be (for I am quite ready to go to that length) subject to the jurisdiction of the local Courts, to such an extent as may be necessary for the security and protection of the natives."

At the conclusion of the debate the prayer of the Calcutta Petitioners was thought so entirely hopeless that Mr. Ward unwilling to expose the weakness of the cause he had undertaken to advocate, withdrew his motion without a division.

After this debate it appears to me quite absurd to deny that Parliament ever intended to place British-born subjects under the operation of the Acts and Regulations of the Government. We have seen that this very question of birth-rights was deliberated upon in 1833, we have seen that it was specially urged without any effect in 1838. And I confess I cannot conceive how sensible men after such unmistakable proofs of the views of Parliament should still persist in misrepresenting them.

But perhaps I have left the most cogent argument as to the intentions of Parliament untouched. I call it cogent, because I expect it will be convincing—for who among the European denizens of Calcutta or of the Mofussil will question the authority that I shall now bring forward? I shall quote the exposition of the views of Parliament given by the leader of the British memorialists themselves—I allude to Mr. Theodore Dickens.

At a public meeting in the Town Hall on the 5th January 1835, which was held partly for the purpose of "petitioning the British Parliament upon the subject of the late Act passed for renewing the Company's Charter," he spoke as follows with reference to the powers which he conceived the Charter Act gave to the Governor General in Council./61/

"Lastly let us come to what I may call the constitutional part of the question—the state of the law. What was it before? What is it now? The class to which I belong, in common with the inhabitants of Calcutta of every class, had this security, that we could be subject to no local regulation which was repugnant to the laws of England—that security we have lost. Will any man tell me who has gained by our loss? Not one. If to put us all upon a footing, means to leave us all upon the same dead level of insecurity, then certainly I do admit we are all alike on the same footing! (*Loud cheers.*) By this reckless act of the Legislature a torrent of arbitrary power has been passed over us, levelling all distinctions, all institutions, and leaving nothing upright but a Colossus of despotism (*Loud cheers*). It leaves the Governor General in possession of more power than any Tudor ever swayed, of more perhaps than any man ever held, save a Dictator of old Rome!"

Such were the words uttered 15 years ago by the identical Theodore Dickens Esq. who now tells the Governor General—his "Colossus of despotism"—you have no power to subject us to your Mofussil Courts. Mark the words of his memorial.

"Your memorialists deny that Parliament meant to confer on a body so appointed and so controlled as the Governor General of India in Council, a lawful power to pass any of the three Acts of which your memorialists complain."



This is not all, for the memorialists add that, "If such power had been meant to be conferred, it would not have been left to inference and buried in generalities but openly expressed, that your memorialists might have been heard to contend against it." /62/

I have already shown what was Mr. Dickens' notion of the extent of power conferred by the Charter Act on the Governor General and I have now to show that so understanding it, he with his compatriots *did contend*, with what success I know not, against the delegation of such immense power to the local government. At the general meeting of the inhabitants of Calcutta held on the 5th January, 1835, to which I have already alluded, Mr. Dickens opened the discussion on the Charter Act in an eloquent speech in which he animadverted upon several of its clauses. At that meeting a Petition to Parliament was adopted, which contained the following words. "That the inhabitants of Calcutta and every Englishman throughout the Presidency have been deprived of the security they before possessed, that no local law repugnant to the law of England should be imposed upon them." The Petitioners further stated, "That by the 43rd section of the Act an absolute power of legislating is given to the Governor General in Council with no proviso that saves the rights of any man or class of men, but only a proviso (deemed necessary as it would seem by Parliament) to save the prerogative of the Crown and supremacy of Parliament itself from destruction or diminution by the legislative power of the Governor General in Council!"

Several other points were alluded to in their Petition and it concluded with the prayer that they may be taken into deliberate consideration, and that remedies may be applied by amendments of the Act and new enactments as may be calculated to remove the evils complained of by the Petitioners, "*and to retain the securities of their rights &c.*"

I beg respectfully to ask that when such speeches were /63/ spoken and such Petition, adopted, as I have instanced above, is it consistent, is it honest in the British inhabitants solemnly to declare to the Government that they believe Parliament never

intended to confer on it, the power of making laws affecting them, and that if they had been aware of such an intention they would have been heard to contend against it ?

It is lamentable to observe how some of the most intelligent men are subject to strange fits of obliviousness when acting under the impulse of excited feelings.

An attempt has been made by some of the British inhabitants of the Bombay Presidency, who have joined their countrymen in these parts, in memorializing against the passing of the so called 'Black Acts', to show that Parliament did not intend to subject them when passing the last Charter Act to the jurisdiction of the East India Company's Criminal Courts as they then existed, and this position they flatter themselves they prove decisively by quoting the 53rd Section of that Act, the Section which provides for the appointment of a law Commission and prescribes their duties. It is true that this Section directs that, as early as circumstances shall permit, a general system of judicial establishments and of such laws as may be applicable to all classes should be framed ; but there is not a word that until this is done the European inhabitants in the interior should be exempted from the jurisdiction of the Mofussil Courts. The Parliamentary debates do not warrant such an inference. On the contrary throughout the discussion it was never denied on the part of the framers of the Act that it was intended to place Europeans in the Mofussil on the same footing as natives, and it has been also shown that the oppositionists /64/ clearly understood that such was the intention of the Supreme Legislature. The inference now attempted to be drawn is therefore in my humble opinion entirely gratuitous. If it were argued that no law should be passed which would outrage the religious feelings or even the manners and customs of the Europeans, I should most willingly subscribe to the doctrine. But the memorialists have yet to show that the proposed Draft Acts would have such an effect. There are other clauses in the Charter Act which taken in conjunction with the 43rd will clear up any doubt which may be created by the ingenious reasoning of the Bombay memorialists. I allude to the 46th and 85th

clauses. The former directs that the Governor General in Council shall not make laws without the previous sanction of the Court of Directors whereby European subjects may be punished with death by other than Her Majesty's Courts, and the latter declares that the free admission of Europeans "*will render it necessary to provide against any mischiefs or dangers that may arise therefrom, be it therefore enacted, that the Governor General in Council shall, and he is hereby required by laws or regulations to, provide with all convenient speed for the protection of the natives from insult and outrage.*"

So early as the 10th December 1834, the Court of Directors, in a despatch to the Government of India, wrote with regard to British-born subjects as follows :—"When the Act says you shall not pass laws making them capitally punishable otherwise than by the King's Court, it does, by irresistible implication, authorise you to subject them in all other criminal respects and in all civil respects whatever, to the ordinary tribunals of the country." /65/

"We are decidedly of opinion, (they said) that all British subjects throughout India should forthwith be subjected to the same tribunals with the native. It is of course implied in this proposition that in the interior they shall be subjected to the Mofussil courts."

"In our view," the Court added "you cannot possibly fulfil the obligation of protecting the natives of India from insult and outrage according to the direction in clause 85 of the Act, unless you render both natives and Europeans responsible to the same judicial control. There can be no equality of protection where justice is not equally and on equal terms accessible to all."

Referring to these extracts of the Law Commissioners Messrs. C. H. Cameron, F. Millet, D. Elliot and H. Borradaile remarked in a letter to Government dated 4th November 1843 as follows—

"There has never been a doubt, we believe, of the expediency—indeed the necessity of rendering British subjects amenable to the authority of the criminal as well as of the civil courts within whose jurisdiction they reside in the interior for the reasons stated by the Court of Directors."

Such was the unanimous opinion of these four good and distinguished men, who I presume will not be suspected of designing to inflict unnecessarily an injustice upon their countrymen. It is true that they thought it desirable, (and who would deny it) that a general penal code should be passed in the first instance, but they added that "Apprehending that the enactment of such a code, applicable alike to British-born subjects and natives, is not an event that can confidently be anticipated at an early period, and thinking it advisable that the intention of placing /66/ British subjects under the jurisdiction of the local criminal courts should be carried into effect without further delay, we have had under consideration the means by which this object may be accomplished."

According to these views the Law Commissioners submitted the draft of an Act to the President in council on the 27th January 1844. But what occurred to prevent the passing of that draft Act into law I know not.

I have now to enter into the discussion of the most important feature of the question, namely, the justice and necessity of subjecting Europeans to the jurisdiction of the Mofussil criminal courts.

It appears from an able paper drawn up by the Law Commissioners dated the 20th June 1843 that the first difficulty springing from the exemption of the British-born subjects arose from the Mofussil Magistrates being unable from want of jurisdiction to enforce the penalties to which European landholders are liable under Act IV. of 1837 in common with the natives for the failure of duties incumbent upon them in the character of land-holders. Is it fair and just that while the native Zemindar may be dragged into court, fined and imprisoned for neglecting to perform those duties which the white man belonging to the race of the governing body shall leave undone, and laugh at the impotence of the Magistrate and at his inability to deal out even-handed justice while he lives protected by class privileges and breathing an atmosphere within the precincts of which the Magistrate dares not intrude.

A recent circumstance has transpired which illustrates in a



strong point of view the superior and invidious distinction which is made between the British and the native landholder. The former dares do what the latter dares not. It was therefore deemed prudent and economical by a native Zemindar, when he found it difficult to come to a settlement of disputes with his tenantry to employ an Englishman on a handsome salary to perform a duty for which, but for his colour and creed, a competent native could be found for a tenth of the remuneration. No wonder then, that such disinterested men should stoutly contend for their exclusive privileges and rights.

In the late case of forgery which was sent from Meerut, the expense to Government has been estimated at Rs. 20,000, the offence being tantamount to a theft of 36 Rs. by a European boy. Such instances I allow are rare, but they are not altogether singular. Apart from the force of sending down such simple cases for trial to a distance of 1000 or 1200 miles, there is an injustice committed upon the natives of India to which I desire to allude. When such prosecutions are undertaken by Government, the expenses are paid out of the revenues of the country, and it falls necessarily on the mass of the people. Is it just? Is it fair? Is it honest,—that a hundred million of Her Majesty's native subjects should be taxed that the European delinquent from the most distant corners of the empire may enjoy the benefit of being judged by English laws instead of the East India Company's regulations.

Englishmen should blush to perpetuate such an iniquitous system till they are at least prepared to pay from their own pockets the expenses of keeping it up.

Glaring as this injustice may appear, it is but trivial when we recall to mind the insults and outrages which the European inflicts with impunity upon his native neighbours whom he emphatically calls the 'Black' or the 'Niggers'. To tell the Hindu ryot at any distance from the Presidency that if you want any redress for the Sahib having broken your backbone, you must go down to Calcutta as prosecutor or witness, and present yourself before Great Court where the language in use is English, where the laws administered are unknown to

your Sudder Cutchery, is to tell him he must bear and be content that the Englishman is a superior being, that he cannot be touched—he cannot be polluted by the contamination of the same laws which govern such animals as you. No, he belongs to the same race that has conquered your country and sways it with an iron sceptre from Lanka to the Himalaya. He is a privileged being.

I have never resided long in the Mofussil, but partly on business and partly on pleasure, I have travelled through most of the districts of this Presidency. I have seen and known instances in which while the native was quietly negotiating for his bargain, his European competitor has pounced upon it and carried it off by brutal force of arms. I have constantly heard complaints of the forcible seizure of crops of the unauthorized ploughing of land escorted by bands of *lattiels*. I have heard of ryots with their unoffending families being summoned and imprisoned at the pleasure of planter, I have heard also of beating and maltreatment even unto death, yea of houses erased—villages burned, and lives taken in cold blood with bullet and shot. Such extreme atrocities do not, I admit, frequently occur, but they are not often known beyond the localities where they are perpetrated. But the ordinary oppressions of the European settlers are a matter of daily occurrence. To a large extent /69/ the cultivation of the indigo is forced upon the ryot. In innumerable instances it would pay the poor cultivator far better to sow many other crops than the indigo plant, but he is bound hand and foot till he receives a money advance and signs a contract to cultivate the planter's favourite crop. When once thus in debt he is never allowed, even though he is able, to get out of it. Toil on he must to minister to the service of his oppressive lord, or he has to answer for it in the tyrant's own Cutchery where he would have little chance of escaping imprisonment in the godowns of the factory. The uninitiated may stare at my alluding to the court and the jail of the European planters, but these are facts of common notoriety to residents in the Mofussil.

It will be asked—is it possible that such oppressive acts can

be done in broad daylight with impunity ? That they are perpetrated is a matter of fact, of which I am persuaded, any impartial enquirer can satisfy himself without much trouble. And I am equally satisfied that due investigation will prove, that to a large extent the impunity arises from the European not being amenable in serious offences to the jurisdiction of the Mofussil courts. I feel warranted on my own experience to declare emphatically, that this circumstance has given rise to a feeling in Bengal among the lower orders of the people, that there is no practical remedy against the depredations and cruelties of the European planter.

Can any rational man expect that the results of such an exclusive system could be different ? The well abused Thomas Babington Macaulay prophetically depicted in his speech on the Charter Act in 1833, what the probable results of continuing such a system would be. /71/

"The danger is" he said, "that the new comers belonging to the ruling nation, resembling in colour, in language, in manners, those who hold supreme military and political power, and differing in all these respects from the great mass of the population, may consider themselves as a superior class, and may trample on the indigenous race. Hitherto there have been strong restraints on European residents in India. Licences were not easily obtained. Those residents who were in the service of the Company had obvious motives for conducting themselves with propriety. If they incurred the serious displeasure of the Government, their hopes of promotion were blighted. Even those who were not in the public service were subject to the formidable power which the Government possessed of banishing them at its pleasure."

"The licence of the Government will now no longer be necessary to persons who desire to reside in the settled provinces of India. The power of arbitrary deportation is withdrawn. Unless therefore we mean to leave the natives exposed to the tyranny and insolence of every profligate adventurer who may visit the East, we must place the European under the same power which legislates for the Hindu. No man loves political freedom more

than I. But a privilege enjoyed by a few individuals in the midst of a vast population who do not enjoy it, ought not to be called freedom, it is tyranny. In the West Indies I have not the least doubt that the existence of the Trial by Jury and of Legislative Assemblies, has tended to make the condition of the slaves worse than it would otherwise have been, or to go to India itself for an instance though I fully believe that a mild penal code is better than a severe penal /71/ code, the worst of all systems was surely that of having a mild code for the Brahmins who sprang from the head of the Creator, while there was a severe code for the Sudras who sprang from his feet. India has suffered enough already from the distinction of castes, and from the deeply rooted prejudices which those distinctions have engendered. God forbid that we should inflict on her the curse of a new caste, that we should send her a new breed of Brahmins, authorized to treat all the native population as Parias."

I am well aware that the name of Mr. Macaulay will carry no weight with the British inhabitants of India, since their talented leader Mr. Dickens has (I am constrained to add) with extreme bad taste denounced that gifted statesman and orator in the newspapers as a "Public Liar" ; I nevertheless feel persuaded that the truthfulness of the picture will be felt and acknowledged by all unprejudiced men who have any knowledge of the subject.

I shall now quote a passage from a minute by Sir Edward Ryan, formerly Chief Justice of the Calcutta Supreme Court and now one of the Judges of Her Majesty's Privy Council, dated the 2nd October, 1829. He declares "that the great extension of the British territories since the Charter of 1774 has given to the Court a range of jurisdiction which at places remote from Calcutta, can only be considered a mockery of justice, if it be not the means of fraud and oppression. Serious inconveniences must be experienced unless the persons allowed to settle in the interior are made subject, with the rest of the inhabitants, to the authority of the local courts. To leave the European owner or occupier of lands, or the manufacturer, at great distances, subject to the Supreme Court or subject only /72/ to the Mofussil Courts, with the limited powers which they at present

possess, would tend to such a system of fraud and injustice, and leave the natives so entirely at the mercy of the settlers, that I think it would be an insuperable obstacle to the allowing Europeans to settle in the interior, &c. On every consideration it would seem desirable to place all classes of His Majesty's subjects in his Indian territories, as far as possible under the same laws, amenable to the same tribunals and to the same forms of trial."

Such was the opinion of a man whose judgment I should think ought to be respected. Nor was this opinion altered or modified after the passing of the Charter Act, for Sir Edward Ryan subsequently said—"If Parliament clearly understood, and were prepared to adhere to the Law of 1833, they would place all the subjects of His Majesty in India on an equal footing."

"The principle" wrote the Law Commissioners nearly seven years ago, "is that the persons and properties of all the inhabitants of the country shall be under the same protection; that every one injured in his person or his property shall be equally able to obtain redress; that every one having a demand or complaint, civil or criminal, against another, shall be equally able to bring it to a judicial determination."

This is the irrefutable principle which ought to guide the Government in legislating for India. It cannot be denied that the natives of India are not under the same protection as the Europeans. They are not equally able as the privileged few in obtaining redress for injuries done to their persons or properties. How can that be possible while the European is amenable to other laws than his neighbours' and those laws administered at a distance from the place where the /73/ offence may be committed. It has been a wise doctrine with all good governments that justice should be brought as near as possible to the poor man's door. Under present circumstances a felonious act committed against the person or property of a native subject by one belonging to the race of the governing body, cannot be brought to trial, much less punished, without the case being sent with plaintiff and defendant and a string of witnesses, with perhaps documents and papers, the removal of which to a distance, may prove to be

of the utmost public or private inconvenience and injury which, if the offence occurred at a remote corner of the Presidency would be equal to more than half the length of Europe. Remember the difficulties and inconveniences of travelling in India and in this respect throw back the condition of Europe full two centuries from the present date, and then conceive what would be the chance of justice if a case of assault committed in Moscow had to be tried in Paris. Add to this, the feeling of tenacity, with which a native clings to the home of his birth, and his fear and dread of one who belongs to the colour and creed of the governing body. I have seen, when a single European has ridden through a village, shops deserted and locked up, the bolts of huts and houses close drawn, the inmates holding their breath terrified silence, the women secreting themselves in the most hidden places. Remember these circumstances and then pronounce whether the present system is not, as Sir Edward Ryan characterized it "a mockery of justice", nay "the means of fraud and oppression."

It has been frequently observed that let a man, charged with a heinous offence have time to prepare his defence, and you may rest assured that a good and consistent story /74/ will be fabricated to disprove the charges preferred. The ends of justice demand that offenders should be brought to trial with as little loss of time as possible. The Europeans are loudly proclaiming the prevalence of forgery and perjury throughout the length and breadth of this land. Will any man tell me that every European delinquent would be above availing himself of these nefarious practices, even when the officious services of villainous servants are placed at their disposal, to escape from the grasp of offended justice? And is it possible to doubt that in many instances the time which must necessarily elapse before a European from any distant Zillah can be brought to stand at the bar of the Supreme Court, would be thus profitably employed by the offender to defeat the ends of justice? To abolish the exemption of British-born subjects from the jurisdiction of the Mofussil courts would ensure the prompt investigation and punishment of any offence of which they may be found guilty. It would thus tend to



remove one of the greatest obstacles to the administration of justice, namely the delay which now necessarily occurs in bringing those cases to a judicial determination in which Europeans are concerned.

It will not be necessary, I trust, to give specific examples of oppression on the part of European settlers in the interior. This is obviously not the place to enumerate names, dates and localities. The evils complained of are inherent in the system, and men of common sense who understand human nature will easily divine what advantages of an exclusive privilege are likely to be taken by a class of half educated persons, bent on the keen pursuit of money, and who are naturally of an irritable and domineering temper.

Let it not be inferred that I hold under this category the /75/ entire body of the European residents. Were I to do so, I should be guilty of knowingly doing injustice to some honourable men. I shall not follow the example of wholesale abuse which nine men of Gorruckpore, civilized Christian gentlemen as they are called, have set to me and my countrymen. These men declare that no one can "find security against accusation in the inoffensiveness of his own character in this country, where the immorality of the population is extreme and universal." It is a pity that such innocent and immaculate men should have come to live in this country, exposed to the danger of contamination and defilement in the midst of such universal corruption. Their case is truly a hard one.

I turn with pleasure to bear testimony to the fact that, there are some men among the British residents in the Mofussil, who from superior education and cultivated feelings are far too sensible of right and wrong to take advantage of their peculiar position or of the ignorance of their fellowmen. I believe there are English settlers who are real benefactors of the district where they reside. I do not therefore sweepingly condemn the whole body of European Mofussil residents. All I maintain is, that there are many of a violent and unruly character, and that under the present system there is no effectual protection against the insults and outrages committed by such men against the natives of the land.

It has been argued that but a trifling inconvenience could have been felt from the existing system of the law, since it is said only 35 British subjects have been committed for trial to the Supreme Court within the last 19 years. What does this prove? Does it show the inoffensiveness of British subjects, or the all but impossibility of bringing such offend-/76/ers to justice? I shall be bound to say that not a week passes in any one Zillah, where there are a number of European settlers, without some instance of oppression and tyranny. These offenders escape because of the difficulties of visiting them with punishment, a point which I hope I have sufficiently discussed already. If there were ready remedies available to the injured, more would be known of the injuries suffered, and they would be gradually checked and diminished.

It has been seriously urged that to remedy the evils complained of, the Government has only to multiply English courts of law throughout the country and thus raise the natives to the level of Englishmen. But if it is impossible, as the British memorialists argue, to degrade them to the level of natives, because, as they with Anglo-Saxon spirit express themselves, it is not in the power of man, "to make unequals equals," surely the same argument, if argument, it can be called, must apply that no device of man can raise the degraded native to the exalted position of the Englishman. But to speak soberly, it is so absurd to talk of the introduction of English criminal laws bodily into the administration of this country that the idea need not be entertained for a moment's consideration. Even if British laws were suited to the circumstances of this country, which they are not, the enormous expense attending their introduction would of itself be an insuperable objection.

The British memorialists have attempted to persuade the Governor General in Council of the inexpediency of the proposed measures, by asserting that it is their solemn and conscientious conviction that the Acts complained of will cause "the utter prevention of the future settlement of /77/ Englishmen in the interior of India and gradual driving out of all already there settled."



Notwithstanding the strong remarks I have been compelled to make regarding a portion of the British residents in the interior, I would deeply lament the withdrawal of British capital, skill and enterprise; and could I be brought to believe that such would be the actual result of the proposed legislation, I would pause ere I would venture to recommend its enactment. But I do not for a moment entertain the idea that any such events will follow as are prognosticated. That false charges may be made and proved too, no one will deny—there is no country where it has not occurred—that such occurrences may be more frequent here than in a highly civilized state of society, I freely admit. But the chances of false accusation against a European are small indeed. His position and influence would be great barriers to the exercise of any malpractices against him. His caste and creed would prove to him towers of strength. Bad as the administration of justice in this country may be, the Englishman is sure to get the best of it. With an almost endless system of appeals in all cases of an aggravated nature, what chance is there of any grievous injury being done? The tongue of the aggrieved Englishman will not be silent, his pen will not be idle—his countrymen in India will not remain careless, apathetic spectators—he would have their active and energetic sympathy—the powerful advocacy of the press would be enlisted in his behalf. This is not all; a voice would be raised in his native land, which the powers that be, could not disregard with impunity. Nor would it end here. Any act of glaring oppression on the person of an Englishman, if not promptly remedied and punished here, would form /78/ the subject of enquiry in the House of Commons, a prospect which the authorities here, as well as elsewhere must dread. Add to these the fact that the European resident in 99 cases out of a 100 does not go into the Mofussil from mere choice or for pleasure, but he goes there to make money—to get his living. Such a pursuit is not easily given up. There is a keenness and tenacity attending it, which would be proof against any petty annoyances to which he may be liable. Serious injuries to person or property do not seem to be at all likely to happen.

On turning back to the petition presented to Parliament against the first or Macaulay's 'Black Act' it will be found that the Petitioners then stated, "the East India Company were opposed to the free trade and settlement of their countrymen in India, and they were confident that if the power they (the East India Company) now possessed were exercised in conformity with this policy, they could altogether prevent the extension of British settlements and in the end diminish or destroy those already founded. Indeed for this end, the Act No. XI. of 1836 would alone be amply sufficient, if administered in conformity to such a policy &c."

It will be seen the leaders of the first 'Black Act' agitation then spoke as they have now spoken, that the passing of that Act would have the effect of driving the English out of this country. One learned speaker said that "formerly the scheme of the Court of Directors was to keep us from the country ; but by perseverance we have won every point from them, and we may now trade, settle and reside where we please. Instantly they change the workings of their conspiracy, and by subjecting us without redress to the abominations of their Mofussil courts, they would drive us from the country." /79/

On the same memorable occasion Mr. (now Sir Thomas) Turton, after referring in terms of commendation to the Government of Ceylon, where English law was administered by the King's judges, said "Again I will say that I consider English law to be my birthright ; but if we must have a pure despotism, let it be so declared. Let Turkish law be the law of the land, and let a Turkish cazi administer it ; but if so, let us be made acquainted with the fact in order that we may know that this has ceased to be the land in which Englishmen can live. (Hear, hear.) It is no longer the country for us. I would not consent to live in it on such terms whatever were the emoluments or whatever prospect of advantage a residence here could hold forth. (Hear, hear.) No temptation of profit should induce me to remain here on such conditions. I would leave it with disgust to be enjoyed by those who are content to hug the chains that bind them, and kiss the rod by which they are scourged." (Much applause.)

And yet Sir Thomas Turton has not left us to this day, nor have his learned coadjutors deserted the land. Not one of the Petitioners of 1836 have turned their backs upon India because of the operation of Act No. XI of that year. On the contrary, it cannot be denied that the number of European merchants and tradesmen have greatly increased. The most casual observer must be aware that the British planters and manufacturers of the present day greatly outnumber those of 1836.

When we thus find the prophets of 1836 have proved false, is it an unpardonable scepticism in one to distrust the predictions now volunteered that the proposed 'Black Acts' will drive the English out of India. /80/

It will probably be asked whether I mean to assert that the whole body of the Company's Penal Regulations and Acts are applicable without exception to British-born subjects. I maintain no such position. There may be certain enactments to which an Englishman may with justice object on the score of religious belief or national custom and feeling. If the British memorialists, instead of dealing in sweeping assertions and denials without foundation, had confined their objection to be placed under the Mofussil Courts on the ground of certain specific Regulations being inapplicable to them, I could have appreciated their opposition. If on such definite grounds they had denounced the Draft Acts as crude and hasty, I could have readily borne with them. But when they talk of their Petition of Rights, to preserve in tact their class privileges, how can they expect that the natives should even remain silent when their silence would probably be construed into acquiescence.

I have endeavoured to show that it is an utterly groundless objection to urge that the Government have not the power to pass the proposed Draft Acts into law. I have endeavoured to prove, that not only on principle but to obviate practical injustice, it is necessary to subject the European to the same tribunal as the native. I have further endeavoured to illustrate that the alleged inexpediency is a delusion. Now since it has been argued that the 'Black Act' should not be passed because the Mofussil Courts are imperfect and their inferior officers



corrupt, it may be enquired if I am prepared to deny either the imperfection of the one, or the corruption of the other. I freely admit at once that there is much to complain of, /81/ much to amend in the judicial administration of the country. The whole system requires revision and reformation. I am prepared to denounce the exclusiveness of the Civil Service and its rotten system of promotion by seniority. I acknowledge that the constitution of the Mofussil Courts is defective, that their presiding officers are often found deficient in judicial education and training, that their knowledge of the vernacular languages is in many instances inadequate and insufficient. I will further allow that corruption to a large extent prevails among the Amlahs of the Zilla Courts, and I will add without reserve, the government is much to blame in indirectly fostering such corruption by the cruel system of underpaying its native officers into whose hands they are obliged to place the most responsible and executive duties. All these admissions I freely make, and am delighted to see the efforts now making to direct attention to the subject.

May these efforts be crowned with success by the reformation of the abuses complained of ! But while I admit all these defects, I cannot acknowledge the justice or the propriety of exempting from their operation a small body of dominant men, while countless millions of Her Majesty's native subjects are doomed to suffer under them. They are not only liable to suffer from these defects, but they have the misfortune of bearing the additional injury of insults and outrages from their European neighbours, against which they have at present no adequate remedy. The proposed legislation is calculated to protect them against such injuries, and I cannot but hail it, on that account, with satisfaction.

It has been urged as a most powerful argument in /82/ favour of subjecting Europeans to the jurisdiction of Mofussil Courts, that it will be the most effectual means of creating a reform of these Courts. I have no doubt that much of this anticipation will prove to be correct, especially as it is proposed by another Draft Act, lately published for general information, that English barristers shall be permitted to plead in the Mofussil Courts. It

is impossible that the high order of talent and the stern independence which characterise the gentlemen of the bar should be brought to bear upon the administration of justice in the interior without producing the most salutary effects. Much good, we may rest assured must ensue. I look forward with confidence to the stubborn resistance of the Englishman, and to the vigilance of his character, as powerful elements for effecting the reform of the Mofussil Courts to that extent which may be consistent with the present state of civilization in this country. But although this is a subject of the very highest importance, I confess I look upon this anticipated reformation merely as a *collateral advantage*. If there was nothing else to justify the opinions I have ventured to express, I should not have advocated the adoption of what would then have been a questionable means for the attainment of a given end.

In conclusion I have only this to remark, that I have noticed with pain, not unmixed with surprise, that men who are confessedly reformers and radicals in politics, are now attempting, in order to serve their own party purposes, to throw ridicule upon the sacred and indisputable principle of equality before the law. What will Christian men in England of their own political creed, uninfluenced by local prejudices, say of their apostate brethren in the East? /83/ Will they admire the spirit of determination which so many British residents have manifested of preserving unimpaired the advantages which they now enjoy over the helpless and ignorant native? Will they approve of the exclusive feeling which prompts the Englishman to refuse to make common cause with the natives of the land for the reformation of abuses? Will they read with complacency the sentiment which dictates the proud assertion that *unequals shall not be equal*. On the contrary, will not the generous and the noble sons of Britain feel ashamed of their countrymen in India, who are anxious to perpetuate an invidious distinction, and preserve their exalted position at the expense of their native fellow subjects. Public men in England, I feel persuaded, would rather see the British residents generously cast in their lot with the natives of the land, striving with one united effort to obtain remedies against wrong and oppression./84/

APPENDIX

Act No. — of 1849

An Act for abolishing exemption from the jurisdiction of the East India Company's Criminal Courts.

Whereas Her Majesty's British subjects, resident in the territories under the government of the East India Company, without the towns of Calcutta and Madras, and the town and island of Bombay, are now, by law, exempt from the jurisdiction of the Criminal Courts, established by the East India Company in the said territories, to which all other persons, whether natives or other inhabitants in the said territories, beyond the said towns and island, are amenable ; and whereas it is necessary for the due administration of justice that such exemption be abolished, it is enacted as follows :

I. In every part of the territories under the government of the East India Company without the towns of Calcutta and Madras and the town and island of Bombay, all persons are henceforth amenable to the jurisdiction of the Magistrates and Criminal Courts of the East India Company and may be apprehended tried and punished by them respectively according to the Regulations and Acts now or hereafter to be in force ; save only that no such Magistrate or Court shall have power under this Act to sentence to punishment of death any of Her Majesty's natural-born subjects born in Europe or the children of such subjects.

II. Every [one] of Her Majesty's natural-born subjects, born in /85/ Europe, and every child of such subjects, convicted before any such Criminal Court of any offence, which according to the Regulation or Act, now or hereafter to be in force, is punishable with death, shall be transported out of the territories under the government of the East India Company, for life, or such term as the Court shall adjudge.

III. The Judges and Magistrates of the Courts of the East



India Company may, in any case in which it shall seem fit to them with the approval of the Governor or Lieutenant-Governor or Governor-in-Council of the Presidency or place, send any of Her Majesty's natural-born subjects, born in Europe or the child of any such subject charged with any offence before them, to be tried before the Supreme Court of Judicature, instead of trying and punishing him under this Act.

IV. Clause CV. of 53 George III, Chapter 155, being so much of an Act of Parliament, passed in the fifty third year of the reign of King George the Third, for the better administration of justice within the British territories in India, as relates to assaults, forcible entries or other injuries accompanied with force, which may be committed by British subjects, at a distance from the place where the Courts are established by Royal Charter is repealed.

V. Nothing in this Act shall be deemed to take away the jurisdiction of the several Courts established by Royal Charter in Calcutta, Madras and Bombay for the trial and punishment of treason, felonies and misdemeanours, and for the due administration of criminal justice according to the tenour of the said several Charters; nevertheless that no person shall be liable to be punished twice for the same offence.

VI. The word Magistrate, as used in this Act, shall be understood to mean every officer, however styled, who has authority to exercise all or any of the powers of Magistrate.

Ordered, that the Draft now read be published for general information./ 86/

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after the 26th day of January 1850.

FRED. JAS. HALLIDAY.

Secretary to the Govt. of India.

Act No. — of 1849.

An Act declaring the Law as to the privilege of Her Majesty's European subjects,

Whereas Her Majesty's natural-born subjects born in Europe, and the children of such subjects are now in certain cases, by a law, exempt from the jurisdiction of the Courts established by the East India Company, and it is not lawful for the Governor General of India in Council, without the previous sanction of the Court of Directors of the said Company, to make any Law or Regulation, whereby power shall be given to any Court of Justice, other than the Court of Justice established by Royal Charter, to sentence to the punishment of death any of Her Majesty's natural-born subjects, born in Europe or the children of such subjects; and whereas doubts have been entertained as to the proper course of procedure in cases of persons entitled to any of the said exemptions it is declared and enacted as follows :

I. Every person charged with any offence or brought before any Court established by the East India Company within the territories under the Government of the said Company, who is or claims to be entitled to any of the said privileges and exemptions, must plead and prove to the satisfaction of the Court his privilege and exemption; and in default thereof, is amenable to the jurisdiction of such Court, and may be tried and punished in like manner as other inhabitants of the said territories./87/

Ordered, that the Draft now read be published for general information, and that a copy of it be submitted for the approval of the Hon'ble the Court of Directors.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the sanction of the Hon'ble Court shall have been obtained.

FRED. JAS. HALLIDAY

Secy. to the Govt. of India.

Fort William, Home Department, Legislative, the 26th of October 1849.

Act No. — of 1849.

An Act for Trial by Jury.

Whereas the laws in force for trial by jury in certain cases

require to be amended, and made the same throughout British India, it is enacted as follows :

I. Regulation. X. 1827, of the Madras Code, Sections IV. V. VI. of Regulation VI, 1832 of the Bengal Code, and Section XXXII of Act VII, 1843, are repealed ; but this repeal shall not affect the validity of any proceedings taken in any Court under the repealed sections before the arrival of a copy of this Act at the sudder station, where such Court is held, or any proceedings which may be then depending before such Court.

II. Every person who, at the time of his committal for trial before a Session Judge, claims to be tried by a jury, shall be entitled to be tried under this Act.

III. All persons of reputed intelligence, respectability and consideration, between the ages of twenty-five and fifty years are qualified to serve on juries.

IV. All qualified persons are liable to serve on juries, unless included in any of the classes following, that is to say, /88/

First—Judges, Magistrates and other judicial officers, vakeels, officers and servants of the Courts of Justice.

Second—Commissioners, Collectors, Deputy Collectors and other persons in revenue service.

Third—Postmaster and persons in the service of the post office.

Fourth—Officers and others in the Military service of Her Majesty or the East India Company.

Fifth—Surgeons and others, who openly and constantly practise in the profession of physic.

Sixth—Chaplains, priests and others employed in religious offices.

Seventh—Principals, professors and teachers of any Government college or school.

Eighth—Ascetics and other persons, who by habit or religious vows, have relinquished all care of worldly affairs.

Ninth—Persons disabled by permanent diseases, which confine them to their homes.

Tenth—Persons specially exempt by any order of Government.

V. The Collector in each district shall make out yearly,

under the direction of the Commissioner, a list of the names and the dwelling places of all persons within his district qualified and liable to serve on juries, whose usual dwelling place is not more than () miles from the sudder station where a court of session is held.

VI. Any person excluded from the list, who thinks that his rank, station and character entitle him to be included therein, and also every person improperly included therein, may require the Collector to alter the list accordingly ; if the Collector shall not comply with the request, an appeal from his decision shall lie to the Commissioner, whose decision is final. The list when finally corrected, shall be sent to the Magistrate of the sudder station.

VII. The Magistrate at the sudder station shall summon as many persons as seem to him to be needed for jury trials. The /89/ names shall be drawn by lot, excluding those who have served within two years, unless when the number can not be made up without them.

VIII. All persons liable to serve on juries, who shall refuse, or without lawful excuse to be allowed by the Judge, neglect to attend when summoned, or who, when attending, shall refuse to try the prisoners whom they are charged to try, shall be liable to such reasonable fine as the Judge, having regard to their rank and means of paying the fine, shall set on them for their contempt of Court ; all such fines shall be subject to review on summary appeal to the Nizamut or Fouzdaree Adawlut.

IX. Whenever any jury trial is to be had, five persons shall be chosen by lot at the time of holding the sessions, from those who attend on their summons : in default of a sufficient number, the Judge shall make up the jury from the persons present in Court or whom he shall cause to be summoned for the purpose.

X. Either the prosecutor or the prisoner may object to any of the persons chosen to be of the jury stating the ground of his objection : if it is allowed by the Judge, the jury man objected to shall be set aside for that trial and another chosen in his stead. The place of birth, descent or creed of any juryman shall not be lawful ground of challenge. If not objected to, the same jury



may try as many prisoners successively as to the Judge seems expedient.

XI. One of the jury shall be appointed by the Judge to act as foreman.

XII. All the evidence for and against the prisoner shall be taken in the presence and hearing of the jury, who shall also be entitled to suggest questions to the witnesses which, if proper to be put shall be put under the direction of the Judge at the end of the trial, the Judge shall explain the evidence to the jury and thereon the foreman shall declare, for the verdict of the jury, whether in their opinion, or in the opinion of a majority of them, the prisoner is guilty or not guilty./90/

XIII. As soon as the verdict is given the Judge shall declare his approval or disapproval of it. If the Judge approves of the verdict of not guilty, the prisoner shall be discharged : if the Judge approves of a verdict of guilty, he shall proceed to pass sentence on the prisoner, or send the proceedings for final sentence to the Nizamut or Fouzdaree Adawlut, as the case may be, according to law, and the jury shall have no voice in deciding on the amount of punishment to be awarded : if the Judge disapproves of the verdict, he shall refer the case with his observations to the Nizamut or Fouzdaree Adawlut. In the last mentioned case the jury also be empowered to record under the hand of their foreman, the reason for their verdict which the judge shall send with the other records of the trial.

XIV. An appeal shall lie to the Nizamut or Fouzdaree Adawlut against the decision of the Judge in not setting aside a juryman objected to : if on such appeal the objection is sustained, the Court may order a new trial.

XV. The Governor General of India in Council may from time to time suspend the operation of the previous section of this Act in those districts in which there is not a sufficient number of inhabitants qualified to furnish a jury.

XVI. After the passing of this Act no futwah shall be required in any case from the law officers of any Court.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after the 26th day of January 1850.

FRED. JAS. HALLIDAY
Secy. to the Govt. of India.

Act No. — of 1849.

An Act for the protection of judicial officers. For the greater protection of Magistrates and others acting judicially, it is enacted as follows :

I. No Judge, Magistrate, Justice of the Peace, Collector or other person acting judicially, shall be liable to be sued in any Civil Court for any act done or ordered to be done by him in the discharge of judicial duty, whether or not within the limits of his jurisdiction, provided that he at the time, in good faith believed himself to have jurisdiction to do or order the act complained of : and no officer of any Court or other person bound to execute the lawful warrants or orders of any such Judge, Magistrate, or Justice of the Peace, Collector or other person acting judicially, shall be liable to be sued in any Civil Court, for the execution of any warrant or order, which he should be bound to execute, if within the jurisdiction of the person issuing the same.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after the 16th day of February 1850.

FRED. JAS. HALLIDAY.
Secy. to the Govt. of India.

Reprinted from the *Public speeches of the late Babu Ram Gopal Ghose and his remarks on the Black Acts* (Calcutta, 1871)

GREAT NON-EXEMPTION MEETING

BY KISSORY CHAND MITTRA

Rajah Kally Krishna and Gentlemen, — The Resolution* I am requested to second asserts a principle of vital importance to the character and influence of National Law—that of perfect equality as respects the individual offender, equality as respects penalties, and equality as respects the forms of administration and the nature of the tribunals. Down to the present time this principle has not been practically recognized in our country. Many years have passed since the principle affirmed in this resolution was first under the consideration of the Parliament of Great Britain, and the Government of India. Scarcely has any question connected with the interests of the people of this country ever been subjected to more frequent, long continued, or serious deliberation. At length, the public of India have, presented to them for their approval and acceptance, a body of Penal Law and a Code of Criminal Procedure by both of which it is proposed to enact, that "No person whatever shall by reason of place of birth, or by reason of descent, be in any criminal proceeding whatever exempted from the jurisdiction of any of the Criminal Courts."

"That, in the deliberate judgment of this meeting, justice and sound policy as well as the altered circumstances of the country require that all classes of Her Majesty's subjects within Her Majesty's Indian dominions should, in all cases of criminal prosecution for whatsoever description of offence, be amenable to the same laws and be tried by the same tribunals, and that no section of the community should, by reason of place of birth or religion or official position, possess any exclusive privilege or supposed advantage, distinguishing them in the eye of the law from the rest of their fellow-subjects. This meeting therefore earnestly hopes that the principle that no class of Her Majesty's subjects should be exempted from the criminal jurisdiction of any of the Mofussil Courts will be fully carried out in the scheme of Criminal Procedure now under the consideration of the Legislative Council."



This measure sweeps away at once the invidious and unjust distinction which has hitherto been made between British-born subjects and the other classes of the Queen's subjects in India, and reduces to uniformity and impartiality both the criminal law and the criminal procedure of the country.

To this obviously just and wise proposal all parties are agreed, with the exception of a small section, consisting of persons who have been attracted to India by motives of pecuniary advantage, and whose residence is temporary in its duration. These persons claim, both by prescription and of right, an exemption from the criminal jurisdiction of the Mofussil Courts, and demand that they should be tried by the Supreme Court only.

The remarks I have to offer are in opposition to this claim of exemption, and to the arguments which are urged in support of it.

I have had some personal experience in the matter, inasmuch as, between the years 1846 and 1854, I was Deputy Magistrate of two most heavy districts, where I had ample opportunities of appreciating the influence and proceedings of both Zemindars and Planters, and watching the operations of the systems under which they respectively work. There are, I believe, few of my countrymen who have been brought like myself in such intimate and familiar contact with the indigo planters, and other British residents in the Mofussil, on whose behalf this claim of exemption is set up. I am proud to number several esteemed and valued friends among them. I know the history of their past career, and by what steps they have fought their way to their present position. I know the value—past, present, and prospective—of their enterprise, to the commercial prosperity of this country. I believe there are those among them who, while deploring the inefficiency of the Mofussil Courts, do not repudiate their jurisdiction. With such men I should be proud to make common cause in all that is calculated to promote the true interests of their body. I mention all this, Sir, because I would have it distinctly understood that it is far from my intention and equally so from my feelings to speak

disrespectfully of a class of our Anglo-Indian fellow subjects whose capital and enterprise, energy and industry have so largely contributed to the development of the resources of our country. Let me not be therefore told that I deny their importance as a class, and do not appreciate the social virtues by which they distinguished ; but I cannot allow my views of that importance, and my respect for their personal qualities to sway my judgment on a question like that before us. That question, Sir, is not whether there are not hospitable, manly, intelligent, energetic, honest, and benevolent men among them, who have done much for the moral amelioration and material prosperity of our fatherland ; *but* whether their present exemption from the jurisdiction of the ordinary courts in the Mofussil is not unconstitutional in itself, unjust in principle, and often oppressive in practice. I have no hesitation in declaring my conviction, that such exemption has no constitutional sanction,—and that it is not based on any principle of justice or sound policy. (Cheers.) It has never been recognized by the Legislature of Great Britain. No man who has attentively read the debates of that assembly, or has looked into the course of legislation during the last thirty years, will deny or doubt the fact that it has been the intention of those who have enacted laws for India, that British-born residents in the Mofussil should in criminal matters be subject to the same law and jurisdiction as those framed for the people at large. It would be a waste of time to go into proofs, that the prevailing opinion of the British Legislature for many years has been, that while the broad realms of India should be open as a field of honourable /10/ adventure and enterprise to persons unconnected with the services, such persons should be ultimately subject to the laws of police and criminal jurisdiction, regulating the districts in which they might settle, and that they should enjoy no exclusive privilege by reason of their place of birth or descent. If such has been the feeling of Parliament hitherto, how much stronger is that feeling likely to be when non-exemption is connected with a new code, purged of the various anomalies and imperfections of the Regulation Law. I therefore contend



that the responsibility of British-born settlers to the laws and tribunals established for the rest of the community is a principle which has been laid down, recognized, repeatedly confirmed and acted upon by the British Legislature, which whatever be its shortcomings cannot be accused of indifference to the rights of British subjects in foreign countries or colonial dependencies nor to the maintenance of the safe guards and guarantees necessary to their freedom and protection. It has been strongly urged by the exemptionists that that portion of the Project of Law which we are assembled to consider violates the birthright of Englishmen. The charge is not now made for the first time, it has been repeated at intervals for more than 20 years. Let us therefore see whether the right claimed by them to be free of the Mofussil Courts and to be tried only by the Supreme Court and Jury has ever existed in fact, been ever affirmed by Parliament, or recognized by any doctrine of good Government. (Hear, hear.) It was discussed and disallowed by the British Legislature more than a quarter of a century ago. If it were necessary to fortify my position by /11/ authorities, I should call to your recollection, the opinions of most distinguished statesmen and profound jurisconsults, expressed on the occasion of the renewal of the charter in 1833, as also on that of the presentation of the memorial of the British subjects for the repeal of Act XI of 1836 rendering them amenable to the jurisdictions of the *Civil Courts* in the Mofussil. The Marquis of Lansdowne and the Earl of Ripon, the Right Hon'ble Charles Grant and Sir John Cam Hobhouse, Thomas Babington Macaulay and Sir Edward Ryan repudiated the doctrine that it was the privilege of Englishmen to carry their laws with them wherever they go, and they were unanimously and strongly of opinion that "there was not one law for one man and another for the other." The Earl of Ripon said "it was a necessary consequence of the admission of Europeans, to place them on the same footing and under the same laws." The great Historian of the Revolution pronounced his deliberate opinion that "unless we mean to have the natives exposed to the tyranny and insolence of every profligate adventurer who may visit the East, we must place the European

under the same power which legislates for the Hindoo. No man loves political freedom more than I. But a privilege enjoyed by a few individuals in the midst of a vast population ought not to be called freedom. It is tyranny." The claim of birthright put forth by the British subjects is preposterous and cannot be supported by any single argument which would stand the test of reason and enquiry. (Loud cheers.) The subject has been investigated, as we have seen, with the utmost scrupulousness and jealousy, by profound jurisconsults in England, and their opinions have directed the parties officially entrusted with the /12/ framing of the Penal Code and the Code of Procedure ; and at last we have the claim practically disallowed and ignored in the brief clause under our notice. I may be reminded, Sir, of certain speeches, memorials, petitions, protests, and of unanimous decisions at monster meetings. Well, if it be made a question of authority—of the opinions of legal or other persons *pro.* and *con.* I have no objection to join issue on that point, and to place over against imposing names on the one side a few of those who are with us on the other. Let us see of whom the Royal Commission was composed.

The first person named in the Royal Commission is Sir John Romilly, a liberal Whig, the son of a great lawyer and law reformer, and himself a law reformer, the Master of the Rolls of England—a very unlikely person to be either ignorant of the rights of his countrymen, or infamous enough to betray them for any personal object.

Sir John Jervis, Lord Chief Justice of the Common Pleas of England, also a good Whig, and so little in love with the Direction that he withdrew from the Commission in disgust because the Code of Procedure was referred to the Government of India.

Sir Edward Ryan, a Privy Councillor, and Member of the Appellate Judicial Committee, and formerly Chief Justice of the Supreme Court of Calcutta, and who was in Calcutta when this very question was argued.

Mr. Charles Hay Cameron, nominated by the Crown a member of the original Indian Law Commission ; a man to whom the question had been /13/ familiar for five and twenty years ;

who by his experience and knowledge is incapable of committing the error ascribed to him.

Then we have Mr. Macleod, late a member of the Madras Civil Service, and also of the Indian Law Commission.

Mr. Hawkins, a distinguished Judge of the Sudder Court and a man deeply versed in Regulation Law.

Mr. Ellis I believe of the Madras Civil Service.

And, finally, Mr. Robert Lowe, for many years an eminent Barrister at Law in an important colony, where the rights of Englishmen in a British dependency would be a subject continually before him.

Such were the men—Judges of the highest rank, Privy Councillors and Barristers learned in the Law, who were charged by the Sovereign to make "*diligent and full inquiry into and to examine and consider the recommendations of the Indian Law Commission,*" and to report thereon to Her Majesty.

The men whom I have named are, it will be universally conceded, not men of whom it might with reason be predicated either that they were incompetent to the task imposed upon them, or that they would lightly, still less deliberately and of design, recommend enactments that would denude Englishmen of those rights and immunities which by the constitution and laws of the country they are entitled to enjoy within the colonies and dependencies of the Crown.

It is no disparagement of the learning and abilities of other men to say that they are not likely to have a better acquaintance with the constitutional /14/ and legal rights of British-born subjects than the persons named in the Royal Commission. I will venture to say of the Commission in its collective capacity that it constituted a galaxy of legal and parliamentary learning, experience, local knowledge and talent, and that its labours are entitled to the highest commendation and lasting gratitude of the country. The Commissioners were responsible only to themselves and to that opinion which it was certain would sit in judgment on their proceedings. Their position was one of absolute independence of the Honourable the Court of Directors, who have been unjustly and foolishly accused of influencing their pro-

ceedings. They had literally nothing either to hope or fear from that body, and still less anything to gain by abrogating any of the just rights of their British fellow-subjects. To suppose, therefore, they would gratuitously annul those rights would be a libel on human nature. (Cheers.)

If we turn to the proceedings of the Hon'ble the Legislative Council of the 7th March last, we may learn the opinions of the respected Judges of the Supreme Court—that very Court whose jurisdiction, it is argued, is essential to the protection of the lives, property, and liberty of Englishmen in *all parts* of India. Sir Arthur Buller himself asks the question—"ought the present privilege of British subjects to be tried before the Supreme Court alone, any longer to be maintained?" What is his reply. "I have no hesitation in saying that in my opinion the answer ought to be in the negative. I cannot for a moment resist the strong, conclusive, practical arguments for the immediate abolition of the privilege." As a sample of what British /15/ subjects are liable to in a neighbouring colony, he instances the power of a district judge in Ceylon, who with no other aid than three useless, sleepy, powerless assessors may imprison a British subject for one year and give him a hundred lashes. What view did the Chief Justice take? He most unhesitatingly approved the principle of the Bill. "The time for removing the exclusive privilege enjoyed by British subjects with respect to the trial of offences committed by them, and for making them amenable to the criminal jurisdiction of the Mofussil Courts had now arrived. It was quite impossible to go the length of those who treated their present immunities as an inalienable and indefeasible heritage and right. Offences in the interior went untried and unpunished through the inconvenience, difficulties and expense of bringing all the parties to Calcutta. He could name three or four cases that had occurred during the very last year." Such were the opinions of these learned gentlemen, under their double responsibility as English Judges and Legislative Councillors for India; and coming from men who administer and lay down English law in Bengal, are entitled to the highest consideration and respect. (Cheers.)

The last mail has brought to us the speech of the Marquis of

Clanricarde made on the 19th February 1857. The Marquis is one of the few Hereditary Legislators of England who take a zealous interest in the affairs of India. He stated "such was the partiality of the Law in India that if an Englishman murdered, or inflicted serious injury on a native in any part of the interior, redress could only be obtained in the Supreme Court of the Presidency, whereas a Native who /16/ murdered or injured any Englishman was brought at once before the district Court."

But this inequality of law is scouted not only by statesmen, judges and lawyers. It is condemned by that honored body of men who have lately distinguished themselves by their zealous efforts to improve the social condition of the Ryots, and of whom I am glad to see now among us a valuable member—I mean the Protestant Missionaries of India. I hold, Sir, in my hand a letter from my respected friend, the Rev. Dr. Duff, which, with your permission, I will read:—

MY DEAR SIR.—You have asked my opinion of the proposal to render British-born subjects amenable to the Mofussil Courts. I have no hesitation in replying that I have always approved of such a measure, wisely and properly executed,—as equitable in itself and accordant with the broadest views of enlightened general policy. If objections have not been unfairly raised against the present constitution of the Mofussil Court, the modes of procedure, the codes of civil and criminal law administered, and the qualification of the Judges—then, clearly, the true, statesmanlike and philanthropic remedy should consist not in retaining the machinery of justice now so loudly complained of, but in improving and elevating that imperfect machinery into an effective instrument of impartial justice alike to natives and Europeans, who are now equally subjects of the British Crown. In order, however, to bring about and ensure the fruits of a reform so glorious, the intellectual, and above all, the moral education of the people ought to be pressed with /17/ tenfold earnestness, not only by the Government, but by the landholders and wealthier classes of every grade.

Men are beginning to talk of patriotism ; but in the present state of India, the truest patriot is he who denies himself most, and disinterestedly labors most, for the intellectual and moral illumination of an ignorant, superstitious, and downtrodden population.

I remain, very sincerely yours,

(signed) ALEXANDER DUFF.

To the Roy Kissory Chand Mittra &c. &c. &c.

Here, then, is another expression of opinion in favor of the principle for which we are contending, and it is that of one who has lived in India, and laboured for India, for nearly twenty-seven years, and whose intimate acquaintance with the wants of the country is only surpassed by his earnest desire to ameliorate her mental and moral condition. But it would be a waste of time to multiply authorities on the subject. Enough has been advanced to show that the exclusive privilege claimed by our British fellow-subjects has no statutory or constitutional sanction, but simply arose from the past peculiar and exceptional circumstances of this country. (Loud cheers.)

I further maintain, and my opinion is supported by ten years' experience, that the exemption of British subjects from the Mofussil Criminal Courts operates most prejudicially on the interests of the great mass of the natives, and is in fact a gross and grievous wrong to them. (Cheers.) It is tantamount to irresponsibility to law, and impunity to crime on the part of the privileged few, and to denial of justice to the subject many. Will any man tell me that the natives are under the same protec-18/tion as the British subjects, so long as the latter are amenable to another law, and are triable by the Supreme Court only. (Cheers.)

I presume it is not necessary to give you particular instances of oppression which are the natural and inevitable result of the present system of exemption, but the records of the Fouzdary Adawluts of Hooghly, Kishnaghur, Rajshye, Pubna, Jessore, and other districts would not only show the nature and extent of the crime committed by the Europeans, but also the impunity with which it is committed.

Let us for a moment transport ourselves into an indigo district. There is the sturdy "Kuteal Sahab" rejoicing in the rain of last night and busily engaged in extending the territorial limits of his operations. There are the squalid, poverty-stricken and half-naked ryots surprised and grieved to see that the fields which had been previously cultivated by them with *robbe dhan* have been ploughed up again and sown with indigo. There is the pot-bellied naib insisting on their cultivating *neel* on the ground of advances taken by them year before last, and threatening to

crook their cattle and put them in "duress vile" in the event of non compliance—and there is the truculent targeetgeer [sic] looking daggers and prepared to carry the threat into execution. The ryots demur and exclaim "dohae saheb." They plead, but in vain, that indigo is not to them such a paying article as *dhan*. The Zemindar in the meantime gets *khubber* of this, and sends forth his armed retainers to resist the forcing the cultivation of indigo. A stand-up fight ensues, the planter heading his own people. /19/ It results in the victory of the planter, who returns to his factory with flying colours, but alas, he has purchased it very dearly. The affray has been attended with homicide and every circumstance of aggravation. The Darogah arrives at the *Surrazumeen*. He finds not only that a *dungha* had been committed, but that the village had been set on fire. He sends up the case to the Magistrate after his local investigation. The Magistrate commits the British-born planter or his assistant to take his trial before the Supreme Court for homicide and arson. He desires the Darogah to forward the prosecutor and witnesses, to that tribunal. But this is more easily said than done. The witnesses being the main props of their families, do not like to be dragged down to the Presidency while their wives and children would starve at home. They therefore make up their minds to keep out of the way. The Darogah of course warns them not to disobey the *Huzoor*, he tells them to proceed to Calcutta instantler, and that their *moochulkas* would be estreated if they neglected to appear there. They of course promise compliance, but having no idea of forwarding the cause of public justice at their personal sacrifice, shut up their houses and migrate for a time to another *elaka*. The case is called on, but prosecutor and witnesses are *non est inventus*. The bill is thrown out by the Grand Jury, and the planter is told by the Advocate General to return to his district. This, Sir, is not an exaggerated picture. (Cheers.) And if such be the case now, how much more fearful it will be in future. If the natives are under the present *regime* unable to obtain redress for wrongs done to their persons and property by their more /20/ powerful and privileged British fellow-subjects, how much more helpless they may be a few years

hence when, as I earnestly wish and confidently predict, the extension of the Railway, the Electric Telegraph, and other public works would indefinitely multiply the number of Europeans in the Mofussil. (Cheers.) Yes ! picture to yourself the India of 1877 ; the "Smoky Rath" traversing her length and breadth and carrying thousands and tens of thousands of them into her varied regions. You will find them jostling the natives not only, as now, on the counter and at the desk, but probably at the loom, the anvil and the plough, in the far distant Mofussil.

I am free to confess that the Mofussil Courts are susceptible of great improvement. I admit the officers presiding over them are deficient in legal training ; though I am not prepared to admit, that in spite of this and their consequent inability to comply with all the technical requirements of law they do not render substantial justice. I admit that the Mofussil Police is very defective, and entirely agree in all that has been said against it by the Hon'ble Mr. Halliday in his unparalleled minute.

I unhesitatingly admit that the whole system should be reorganised and reformed, and I should be delighted to see a grand co-operative effort made by British-born and other classes of Her Majesty's subjects to effect such reorganization and reformation. But while I admit all these defects of the Judicial and Police establishments, I cannot acknowledge the justice of exempting from their operation a small section consisting of persons who settle in the Mofussil for their own advantage ; /21/ of their own free will, and not of compulsion. I repeat, I see no reason why those persons would be exempted and more than the Hindus and Mahomedans, Frenchmen and Germans, Americans and Russians. If the Courts are good enough for the millions of India they should be good enough for a "small body of dominant men !" What is sauce for the gander is sauce for the goose. Why ! our British fellow-subjects are ready enough to invoke the protection of the Courts when their indigo is damaged by trespassing cattle or other cause. Why should they then repudiate the same Courts when they are charged with forcing the cultivation of indigo. (Hear, hear.) They would work them freely and frequently against the rival zemindar or

the defaulting ryot. Why should they then ignore them when complained against by the zemindar and ryot. I do not, Sir, for the life of me understand why they should avail themselves of the Courts when they have anything to gain, but should deny their authority and denounce their decision, when they have anything to lose. (Loud cheers.)

The exemptionists fall into a serious error, when they suppose that under all circumstances, and at all times, and for their own exclusive advantage they can import the institutions, laws, and privileges of British subjects into the places to which they are attracted solely by the prospect of benefit to themselves. The thing is not only impracticable, but in many cases were it to take place it would lead to the practice of the grossest injustice and to the systematic oppression of the natives whose rights are equally entitled to respect. Englishmen sought India. India did not seek English-/22/men. (Cheers.) The laws of this country are made for tens of millions of the children of the soil and not for a few hundreds or a few thousands of the conquering race who may please to cast in their lot in the Mofussil for their own advantage. It is for them to balance the probable gains of temporary expatriation over against the evils and privations incident to their new sphere of enterprise. It is for them to accommodate themselves to the laws of the new country, and not to demand that Westminster Hall should be translated into every zillah and every pergunnah. (Loud cheers.)

But, Sir, if the Fouzdary Adawluts were ten times as bad as they are represented to be, it would be after all a miserable argument for the exemption of British subjects from their operation. On the contrary the inefficiency of those well abused functionaries—the Mofussil Magistrates—would be a good practical argument for the uniformity of their administration and for the amenability of all classes of men to their jurisdiction. Let but one of those Magistrates perpetrate a legal wrong on a Briton, and the sympathies of all British subjects would be enlisted on behalf of the injured party, and such a demonstration would be made as would not only compel the removal of the individual grievance but lead to the improvement of the administration of

the entire district. Subject Europeans then to the Mofussil criminal courts and they will soon work out their reformation. They know how to make a stir when necessary ; and believe me, they will not like our countrymen tamely submit to be victimized by the Darogah, fleeced by the huzooree amlah, or frowned down by the Hakim. I look /23/ forward to their energy and resistance to oppression, as an important element in the reformation of our Judicial establishment.

But to this our British fellow-subjects may say, "why should we be the victims of an experiment ?" I answer, why should hundred and fifty millions of natives be subjected to laws which you condemn, but which you will not labor to improve until yourselves are brought within their operation. I see no reason why *they* should be victimized and experimentalized upon. (Cheers.)

But I will not detain you any longer as you will be naturally anxious to hear those who are to follow me and who are far more competent to do justice to this momentous question. In the imperfect observations which I have addressed to you I have endeavoured to state with clearness the principle for which we are contending, and the time, the labor and the learning by which that principle has been embodied in the project of law now before the Legislative Council, and I have also endeavoured from my own practical experience to draw illustrations of the expediency and necessity as well as the abstract justice of the measure proposed. Whatever may be the defects of the Penal Code itself whether in respect of its definition of crime and assignment of penalties it is an admirable consolidation of criminal law adapted to the requirements of our country and is pre-eminently distinguished by that systematic arrangement, lucid statement and scientific expression the want of which is so much complained of in the Statute Book of England. I do not mean to say its introduction will dispense with all future legislation ; that can never be the case in /24/ any country and far less so in our country which is in a peculiarly transition state. I do not mean to deny it is altogether free from those objections incident to all codes not excepting that "model of codification" the *Code*

Napoleon. The system laid down by Menu and Yagnavalkya, have undergone organic changes in a country celebrated for the immutability of her social institutions. As for the imperfections of the code, there will always be a ready appeal to a permanent tribunal for the rectification of all legal errors, and these may therefore be safely left to be dealt with as they will be discovered. The Governor General has lately been invoked by a member of the Calcutta bar to put his veto on the code. But his Lordship may well reply in the words used by Frederic the Great on a similar occasion—"If I attain my object, certainly many lawyers will lose, by this simplification, their mysterious importance, be deprived of their whole retail trade in subtleties and the whole existing corps of advocates will be rendered useless. But on the other hand I shall have more skilful merchants, manufacturers and artists by whom the state has better hopes of profiting!"

It is for the principle of the code for which we are striving. The assertion and triumph of the principle will be one of the greatest achievements connected with the peaceful government of the country inasmuch as it will determine, for all future time, the foundation upon which her laws shall be administered by our present rulers. (Cheers.) The voice of the intelligent people of India is alone wanting to establish that principle. I therefore call upon you in the name of justice to vindicate and affirm it. (Loud cheers.) I call upon you to repudiate the false doctrine put forth by the /25/ exemptionists in 1850, that "unequals cannot be equals." I call upon you in the name of the pauperised and prostrate ryots to denounce the present system of exemption because it is essentially a system of oppression. I call upon you in the name of humanity and civilization to assert that equality of law which is the true foundation of national greatness. (Loud cheers.)

I should not be surprised if my appeal were ultimately responded to by many of those who now denounce the principle, as I do not entertain a doubt of it approved as it is by all the authority which experience, legislative sanction and profound learning can give it. I therefore assume that the fact is accom-

plished, and congratulate even our opponents on the attainment of an object at once so righteous in itself and so fraught with future benefits for the millions of this country. I can now see before us numerous improvements springing from this measure of reform—improvements in the training of our judicial officers, progressive independence of position for those who preside in our Courts—innumerable advantages which would flow from the uniformity and universality of the code, and the consequent identity of law applicable to every race and individual of this vast empire. No event could tend so much to cement and consolidate the people of this country. No event could more intelligibly exhibit the spirit of impartiality dwelling in the minds of those who constitute the imperial legislature of the Queen's dominions, and no event could be more eminently calculated—aided, as it will be, by the common interest of the natives of India and of those whom commerce brings to our shores—than this which will open up to all, without respect of caste, or climate, or creed a fountain of justice whose mainspring being in the heart of the British possessions shall send forth its fertilizing streams as far as the British conquest extends and cause those who feel the power of our rulers to taste also the justice and equality of British rule. (Loud cheers.)

I shall conclude in the beautiful and truthful words of Sir William Jones.

What constitutes a State ?
 Not highraised battlement or labour'd mound,
 Thick wall or moated gate ;
 Not cities proud with spires and turrets crown'd ;
 Not bays and broad-armed ports ;
 Where, laughing at the storm, rich navies ride,
 Not starred and spangled courts,
 Where lowbrow'd baseness wafts perfume to pride
 No : — Men, highminded Men,
 With powers as far above dull brutes endued
 In forest, brake, or den,
 As beasts, excel cold rocks and brambles rude ;
 Men who their *duties* know,
 But know their *rights*, and knowing, dare maintain ;

Prevent the long aimed blow,
And crush the tyrant while they rend the chain.
These constitute a State ;
And sov'reign Law, *that state's collected will*
O'er thrones and globes elate
Sits Empress, crowning good, repressing ill. [27]

EIGHTEEN FIFTY SEVEN

[BY HURRISH CHUNDER MOOKERJEE]

THE year 1857 will form the date of an era unsurpassed in importance by any in the history of mankind. For us who are living in the midst of those scenes which have stamped this epochal character on the year it is impossible to realize in its fullest measure the interest that will attach to it in the eyes of posterity. Our minds are too full of the incidents of the rebellion—of this siege and that massacre, the battle, the retreat, the ambuscade, mutinies, treacheries and treasons—they are far too agitated,—to receive a fair image of the present. The rebellion came upon us with a shock for which no class of the community was prepared. It has taken by surprise the country—not excepting the vast body of the rebels themselves. For eight long months it has ravaged the land in its length and breadth, spreading crime and misery of every hue and form. And when now its strength has been broken and its end has made itself visible, it bids fair to leave the nation a legacy of prolonged and yet unknown troubles.

The dawn of the year 1857 disclosed to us prospects than which more hopeful could not be conceived in the destiny of a people. The country was tranquil at home and at peace abroad. The reckless spirit of territorial aggrandisement which absorbed the energies of government for the previous eight years had passed away. The condition of the people, the great social interests of the nation, had become an object of earnest attention. A healthy political spirit characterised the proceedings of the intelligent classes of the community, who were prepared and disposed to support the views of an enlightened legislature. Grand schemes of law and social reform propounded by men of the greatest ability, were in agitation. Education, public works, and material improvements were receiving a

stronger impulse than ever urged them forward. The public finances were slowly recovering from the exhaustion into which they had fallen. Plans of retrenchment had been set on foot with the best chances of success. Never did the country enter upon a new year with brighter hopes or in better spirits.

But the calculations of man are as nought in the course of Providence. We shall not presume to enter into speculations as to the causes of the mutinies. It is yet too early to determine how the Sepoy mind became so strongly imbued with the idea that the government was resolved to destroy their religion and they are strong enough by themselves to wrest India from the hands of the British. These causes would extend over a number of years, and their examination will be the business of history, not journalism. Nor shall we enter into a narrative of events the memory of which is so terribly fresh in the minds of our readers. We may be content with noting what effect these events have had upon national progress during the year.

First of all we have suffered in character from the effect of these mutinies. Despite multitudinous traducers, the national character of the Hindoos stood high in the eyes of the world. If we were described as superstitious, we were allowed to be an intellectual people. Against our want of patriotic and military order, a whole host of virtues was allowed to be more than a set off. We have always suffered, history could produce no instance of our having inflicted suffering. If an account were cast up between us and the rest of the world it would be found that the balance of benefits would be largely in our favour. There was much in our annals, institutions and literature which interested the scholar and the statesman alike ; and made cultivated men in general view our nation with eyes of really affectionate regard. For the time every sentiment of good will and respect that foreigners entertained for us is in a state of annihilation. The atrocities which have followed in the wake of the mutinies have been truly described as unspeakable. They have been charged most untruly and unjustly to the whole nation. We shall not deny the responsibility of the mutiniers



for every act of outrage which in the disorganization caused by their mutiny became possible of commission. But we deny that the moral character of the nation is to be estimated by the acts of the felony of the country—the refuse, the dregs, the unhung scoundrelism of the population. For the time this fact, so probable, so vraisemblant, is indignantly ignored; and we are charged with, besides an unlimited capacity for crime, having deceived the world for three thousand years by concealing from it that capacity.

Along with the forfeiture of the good opinion of the civilized world we have incurred another loss, if not equally great, more closely affecting our interests. For the time, the estrangement between the native races and the mass of the English people has become complete. We are objects not merely of suspicion; we have become objects of the bitterest hostility. Our British fellow-subjects firmly believe that we embarked in a contest the aim of which is their extermination. Extravagant as this belief is, it is too momentous in its consequences to be ridiculed. With their aid we have secured many substantial benefits. The time had just come when by more intimately commingling our interests with theirs we were about winning many more. The commencement of the year saw our countrymen in hot contest with their British fellow-subjects, for the acquisition of equal laws and rights. There was some bitterness in the contest, but there were the very best chances of success in our favour. The object once gained, the quarrel would have speedily faded from memory, and a community of interest would have engendered feelings that would have completely washed away the bitterness and soothed the antagonism of race. The mutinies have made coalition for a time impossible and reconciliation a thing of distant hope.

Our second great loss has been in the item of civilization. For a time, and that we fear no short a time, our path of social progress is completely barred. We cannot mend a barbarous or a cruel or an irrational custom, however large the majority anxious to do it, if the reform be one to need the aid of the law. The Widows' Marriage Act is an instance to prove the advanced

position which the legislature had taken in respect to social matters. A law to restrain polygamy was on the tapis, and merely awaited a few formalities to have effective penal force throughout the country. Other abominations live which it were unpatriotic to expose to the gaze of idle curiosity. All these have gained a long lease of existence. All hopes of their extirpation lie for the time dashed to the ground. The legislature stands committed to a policy of inaction so far as regards them. It may give us good courts of justice, unexceptionable judicial procedure, and well framed systems of taxation; but to draw out and destroy evils that are eating into the very core of social morals and happiness, our legislators have become owing to the mutinies alone—utterly powerless.

The extent of purely political loss that the mutinies will have inflicted upon the country yet remains to be estimated. Those aspirations after equality with the most favoured of the sovereign's subjects which so justifiably animated our political efforts now seem vain and extravagant. The authorities themselves have given way to the pressure of the times, and succumbed to influences which are yet to attain their fullest development. The Directors have already countermanded the enactment of a law sanctioned by the approval of the greatest jurists and statesmen of the age, that should place the Briton and the /419/ Bengallee upon the same footing in the eye of the law. That is but a sample of what possibly may yet be in store for us. It may yet be our lot to be trampled upon, to be thrown into the lowest stage of political existence that a conquered nation can be held down to, to be made to hew wood and draw water for conquerors who shall be our oppressors, to expiate in one long noviciate of serfdom sins not our own. These are gloomy forebodings, but the most sanguine when he marks the temper of the times cannot help now and then giving way to them.

All material improvement is for the present at a halt. Our railways instead of progressing have been partially destroyed. The electric telegraph which this time last year flashed messages across a continent now lies mangled and torn. Irrigation and roads, works of utility and of ornament, schemes intended to

succour and raise famished millions, have all been abandoned in the struggle for self-preservation. The heavy loss of life and property, and the heavier loss which insecurity and terrorism may yet occasion, remain to be counted. Computation is baffled in the attempt to determine the amount of physical suffering and sacrifices that the rebellion will have cost the natives of India.

The list might be prolonged had the need been. But the painful task has become superfluous owing to the very universality of the suffering which prevails. There is not one among the inhabitants of this continent who, if not labouring under the mania of insurrection, does not feel and deplore in body, mind or estate its consequences. Generations of our countrymen will yet have to bear a share of the same sufferings. From contemplations like these we are driven for consolation to the immutable laws of providence. The man of true historic faith sees in every event a stepping stone for society to advance by in the path of progress. All is for the best. The Indian rebellion with all its horrors cannot be exempt from the operation of the historic law. And the year 1857, commemorated in characters of blood and fire, is probably destined to usher in an era of unexampled progress and happiness for a tenth of the human race. /420/

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THE ATROCITIES

[BY HURRISH CHUNDER MOOKERJEE]

I

THE simultaneous publication in England of an official account of Europeans murdered in India during the mutinies and of Mr. Layard's speech has again brought on the surface the question of the extent and character of the atrocities committed by the insurgents in Upper India. Painful as the question is to all, we are not sorry that it should so often be brought into discussion. The heavy load of obloquy which was cast on our countrymen when the first accounts of the mutinies were circulated through the length and breadth of the civilized world has indeed been diminished by the labours of industrious truth-seekers ; but there yet remains much which justice requires to be thoroughly tested. History leaves it /95/ no doubtful point whether up to this day Europe or Asia has been the theatre of greater crimes. The universal opinion of mankind had assigned to our nation a character for incapacity for the commission of cruel deeds. When, therefore, it was told to the world that the revolted sepoys in Hindoostan had added to their treachery crimes which the mind shrinks from imagining and the pen refuses to describe, the announcement was universally received with a degree of horror and surprise not equalled even by the announcement of the sudden outbreak itself. The tale ran counter to the world's convictions : the Hindoo had been known to be "mild" even to a fault. Why was it then believed ? It is a psychological mystery which a deeper analysis of the European mind than we have yet seen made may solve. But as the fact stands we can point to an analogy only. The European and American public so readily believed the tales of Indian horror from an impulse very like to that which made the entire continent of India at one time believe that their sugar was polluted



with ground bones and at another that cartridges were greased with cow fat to promote Christianity.

It would be waging war with all probability to contend that no crimes more atrocious than murder in hot blood have been perpetrated in the course of the Indian insurrection. Even in regular war ruffianism of the blackest die can not be restrained. What then may not have been expected in a civil war in which cold-blooded intriguers and unchained felons have taken so active a part? Let us only calculate what would have been the extent and nature of the crimes which the twenty thousand liberated convicts of our Indian jails would have committed in the quietest times if they had but a week of the license they enjoyed so many months. Indian society contains a criminal class more thoroughly dissociated from the rest of the community than the criminal classes of other countries. And, then, there was the antagonism of the race, a real antagonism fostered on one side by pride which even lookers-on have pronounced to be insufferable. There were the insults, real and fancied, of a whole century to resent. There was the genuine barbarism which still leavens all Asiatic civilization. The scene lay in a land of torture, of subterranean prisons and of female seclusion. There were, it is easy to perceive, ample motives to account for the worst of the crimes which are alleged to have been perpetrated. /96/

It is not denied that such crimes have been committed and marked with a spirit of more than cold justice—of fiery vengeance. The fact is accepted as well as the equity of the demand based upon it. But that is not the question at issue between the two parties who are discussing the question of atrocities. It is contended for by one that the crimes of the Indian rebels are unparalled in atrocity. This is urged by the generation which has just succeeded the warriors of the Peninsular campaign and by the contemporaries of the Border Russians and of the French pacificators of Algeria. The monster crime of Cawnpore will find more than a parallel in the published and suppressed records of the crime of every civilized races. We shall cite but one instance from the black record. Throughout Marmont's progress in Spain his foraging parties

had orders to bring into camp all women they could lay hold of between twelve and thirty years of age. And if such crimes have been perpetrated in times and climes the most civilized since the beginning of the world, it is needless to ransack the history of older nations and earlier races. Again, it is urged that murder, rapine and crimes worse than murder, have been perpetrated in the course of the Indian rebellion on a scale far greater than in any other war or rebellion. The single instance of the insurrection in Lavendee is enough to settle this point. It has been urged that the treachery of the Indian murderers in offering hopes of escape to their victims, and then destroying them, has no match in doings of other rebels. We shall again cite strictly modern history, and point to the fate of the fugitives of the first French revolution. We may thus go through the whole catalogue of crimes alleged and proved against the rebels of India, and prove them neither to be unmatched nor unsurpassed by the deeds of men elsewhere. There is, it may be said against us, small consolation in this. We confess it, but the accusation against India goes to the extent of pronouncing the entire race to be surcharged with vileness and exceptionally and unapproachably depraved, and recrimination becomes a necessary though a painful task.

There is one part of this task of recrimination, that we would willingly have left unperformed if practical consideration of the weightiest character had not impelled us to its execution. We would not have referred to the process of retribution, even yet in /97/ full operation, had it not been absolutely necessary that the process should be somewhat checked and moderated. In its course have passions been evoked and deeds done which equal if not surpass in violence and atrocity, the motives and acts of the rebel miscreants themselves. For some time every law of nature and man was set aside by the army of retribution. Indiscriminate slaughter, violation of women, the burning of whole tracts of inhabited country, the hanging and blowing away of men by hundreds, the infliction of skilfully wrought bodily and mental torture, were the daily acts of civilized administrators and commanders. More than this was done by men in lower grades of life. The following instance is not singular in its kind.



"We continue as of yore. Nothing occurs to disturb the serenity of our imprisonment. A force was dispatched some days ago against an insurgent Jhat village, across the Jumna, and about twenty miles from this. It consisted of eighty-eight men of the 3rd Europeans, two guns, and thirty mounted militia (Europeans and East Indians), under Captain Pond. They stormed the village, and killed about four hundred men. Three hundred and thirteen dead bodies were counted in the streets, besides those killed by the guns in front of the village, and sabred by the cavalry in the field when trying to escape. It is significant that none of the enemy were merely wounded, and not a prisoner was taken. One fought like a savage and spared none, but crying out, 'Remember our women at Cawnpore'. They shot and bayoneted without mercy. After they had slain every man they could find, I lament to say, that they did what infuriated soldiers too frequently do when they take cities by assault—they ravished the women. The officers were unable to control their men, and till the village was set on fire, these scenes were repeated."

An approved mode of vengeance was to fire a village, and as the frightened inhabitants ran out in the open, the males were shot down and what became of the females it is needless to say. This system of retribution was vehemently applauded by a large section of the European community. It, in their eyes, indicated vigour, a freedom from maudlin sentimentalism. The organs of that community now seek to deny that such conduct was prompted by them or met with their approbation./98/

That a cry for indiscriminate massacre was never raised is one of those falsehoods the frequent utterance of which has lost to the English press in India all its authority throughout the civilized world. Could we have patience and inclination to wade through the columns of the Indian journals for the last thirteen months, we could produce from them a mass of profligacy and brutality the sight of which would sicken the sturdiest nature. It was but the other day that an officer entrusted with a detached command by Sir Hugh Rose performed his duty in a manner to elicit the following testimony from his General: "The enclosed



report from Major Gall shows how satisfactorily these rebels were disposed of." Thereupon a Calcutta newspaper, the "leading journal" of the Calcutta petitioners, makes this remark: "From the satisfaction exhibited by Sir Hugh, we presume and hope, they (the rebels) were killed to a man." Major Gall's report is understood to have contained the following passage: "I burnt the village of — and killed all the males." Another journal of high and in many respects of deservedly high pretensions, applauded the act as one of superior wisdom and courage. We shall not do the better portion of the European community in India the injustice to say that the local press truly represents their sentiments; but forbearance shall last only till we find them endorsing the sneaking and truthless disclaimer./99/

II

The Indian rebellion, if it has raised many perplexing problems, has solved more. Already it has decided the *Verato questio* whether in fertility of invention, the children of the east are superior to those of Western and Northern climes. To the surprise of many the verdict has turned up in the negative. "Oriental imagination" is a praise made thread-bare by continual use by a certain class of barren essayists. It was believed that only Orientals could produce a work of fiction like the Ramayan. Whenever a solitary Hindoo happened to perjure himself in a court of justice, a tribe of writers was behind, ready to see in the evidence one of the illustrations of the extreme aptitude of the Oriental at fabrication. /102/

But the recent occurrences in India have proved that after all it was a mistake the world laboured under ; that if for any selfish end an Anglo-Saxon would fabricate and conceive, his fabrications will be found to be as superior in skill and his conceptions in magnitude to those of all Orientals put together, as any material commodities of Europe are superior to those of Asia ; as Manchester is superior in her manufactures to Santipur. Hitherto we did our best to be content with the reflection that though we were behind our European fellow-subjects in every moral and physical endowment, we were at least blessed with a faculty nature had denied them—the faculty, namely, of being able to tell a good story. But even in this last found refuge we are, it appears, not to expect quarter. The assiduity of industrious truth-seekers and truth-speakers has discovered that the stories of massacres aggravated by violation and outrage upon British women and children in the North Western Provinces, so industriously circulated during the mutinies, are in a great measure inventions, and that those of our fellow-subjects whom we in our simplicity thought the least imaginative and scarcely able to do the deed have really the credit of them. But perhaps we need not wonder. The Indian rebellion,

if it could make heroes of the race of Boitakhanah sectioners, may well turn dull "Independent Britons" into competition with the author of the Divine Comedy as depicitors of horrors.

Our friends of the League, their friends and their friend's friends whom we take to be the authors of the atrocity-fictions, have not long been allowed to chuckle at ease over their performances. They were indeed successful in inducing the British mob who swallowed the stories of impossible outrages—to raise the cry for "vengeance" but, like all mob passions, the cry was transient and has since been followed by one for mercy. It is a well-known fact that the triumph of the sinner is short-lived. That of those adventurous maligners of our countrymen and of our rulers forms no exception to the rule. They form the only non-official class in India who can be heard in England, and they were not slow to take advantage of the circumstances. They were particularly active during the revolt,—an event the like of which they appear to have been praying for that they might at that opportunity create for themselves a position they were by no means entitled to. But /103/ they adopted a characteristic plan of action which, though it succeeded for a time, was calculated in the end to unveil the sordidness of their motives and their impotence. Instead of exhibiting their absolute worth they took to finding fault with the authorities and abusing the natives of the soil. The former have already been exculpated, and ere long the latter will appear to the English people in their true colours. Lord Canning was the special object of their indignation, and there is a growing class in England who believe that any other Governor-General might have lost the Indian Empire. Little fictions such as Mr. Grant's releasing 150 prisoners and Lord Canning and Sir Colin Campbell quarelling with each other have been exposed. It now remains for the people to get quit of the charge of unparalleled cruelty laid at their door; and if the interest which the question of the atrocities has excited for the present continues for some time to come, we are sure the consummation will be attained.

Let not the League lose heart. We are not going to re-

produce the statements of Mr. Layard.* That gentleman may have been influenced by baser motives. He may have desired to make political capital of his recent trip to this country. The Ninevah discoveries may have been forgeries. But undoubted official testimonies bear him out in his assertions at St. James' Hall, Piccadilly. Mr. Sherer, Magistrate of Cawnpore, who from his position must have known better of the Cawnpore atrocities and the inscriptions on the walls there than either Mr. Blanchard or Mr. Peterson, impugns them both with an emphasis which ought at once to settle the point. "I have never heard" says he, "a story. . . I consider credible, of mutilation, torture, or dishonour. . . There were no dead bodies lying about in the enclosure of the house, there was no writing of any kind on the /104/ walls of these buildings." Then again Mr. Geo. G. Watson writes to the *Englishman* to the same effect: "It is useless for me to reiterate that as far as can be gleaned from authentic evidence, however much you may be disappointed at the fact, (speaking of the atrocities) such was not the case at Cawnpore. I consider it disgraceful, and am by no means singular in my opinion, that you and your brother editors persist, with the morbid verbosity of penny-a-liners, in the face of all authentic evidence, to harrow the feelings of the relatives and friends of the unfortunate sufferers at Cawnpore by heaping on them dishonour and mutilation never inflicted, and foster the tale by imaginative reports such as the apocryphal relation of the blue cloth story by Mrs. Murray." If after

*An ex-member of Parliament who came to India during the mutinies and on his return delivered some lectures in England denying the truth of the allegations about Sepoy atrocities and giving instances of revolting outrages by British troops. His speech aroused a violent controversy. Russel writes of these speeches thus:—"Mr. Layard's speeches and lectures which have been received with a shower of dirty dish clouds from the well furnished Billingsgate repertoire of the convict Cleon of Calcutta, are the subject of discussion here (at Simla). Most men are disposed to blame the want of judgment and the immoderate tone of his statements, but there are many of his facts which we know to be true. As the Colonel said, "I know far worse than anything he has said."—My Diary in India II, 124.



such unmistakable testimony by persons who know most of the affair in question, anybody will still be found to talk of violation and mutilation, let him alone, for he is a man whom nothing can teach, convince, or put to the blush. /105/

Reprinted from the *Selections from the writings of Hurrish Chunder Mookerji*, ed. by Nares Chandra Sen-Gupta (Calcutta, 1910)
The two articles originally appeared in *The Hindoo Patriot*, dated July 8, 1858 and August 19, 1858 respectively.

THE SAXON IN INDIA

THEY display a sad want of critical taste who put Shakespeare before Sir Walter Scott as a depicter of character. The former may have had a deeper insight into human nature and the faculty of revealing its internal phases by flashes of electric light but for presenting a whole man with all his linemeants so /236/ is to make him easily recognizable to the species in general the latter possessed unsurpassed art. For our present purpose, we shall take but one of Scott's characters, Cedric, the Saxon. The Thane loved comfort, but was uncomfortable chiefly because his neighbours were of another race and they had more lands than he. The Thane was proud of his nationality, but his pride was mortified by the sight of the superior influence possessed by his neighbours of another race. The Thane was blest with a short temper, and he was discontented at being unable to break it on any one beyond his household, his jester and his swineherd. But what most grieved the Thane and well-nigh broke his heart was to find his own kith and kin going over to the side of his neighbours of another race.

Had "Ivanhoe" been a publication posterior in date to certain Indian newspapers, we should have thought that Scott drew his Saxon from life. The gentlemen of these Indian newspapers are very unhappy. Though they are not of the conquered race, though they are really of conqueror's race, they yet find themselves in a position inferior to their neighbours of the other race, who possess more lands, more social influence, more individual power, and more of the consideration of the governing authorities. The Thanes of the Indian press deeply feel [the] inferiority ; and resent it in no measured prints on all whom they suspect to be the cause of their degradation. But what most grieves them was what most grieved the Saxon of Scott—to see the best of the Saxon race going over to the side of the other race—to see

all Englishmen of rank, position and intelligence turn, in their language, White Pandies.

The Governments in India treat these Saxons of the Indian press and those they represent with the same good-humoured indulgence that the lion-hearted king extended to the rebellious Thane in *Ivanhoe*. "Have you no knee for your prince" ? asked Richard of Cedric as he discovered himself. "To Norman blood it has never yet bended," replied the Thane. The Saxon in India feel similarly ; "Submit to the laws," say the governing authorities. "Submit to the laws ? We will fight, make public meetings shoot, appeal to the Supreme Court, write embarrassing editorials, leave the country" &ca. &ca. The good-humoured authorities pass over the rebellion good-humouredly. The Saxons believe *Magna Charta*, the Bill of Rights and everything else they have never seen or read indemnifies them. The Supreme Court Judges tell them it is all good law.

For some time past, the Saxons in India have been working themselves into the belief that they are the conquerors, and therefore, the sovereigns of the land wherein they have come to seek butter for their bread. The Thane will have Rowenna *cum* Athelstone on the throne. The natives of India are their subjects as contradistinguished from fellow-subjects. The Thane, bred in certain habits of hospitality, cannot conform to them when Normans are in the case. The Saxon in India will deal justly with the Natives, nor as a matter of duty, but as a discharge of a fraction of conquering responsibilities.

Meanwhile, the thing is getting serious. Lunacy, while confined to ideas, is pleasant enough sport to the light-minded. But when it steps into the commission of acts it calls for restraint.

That restraint will probably be imposed much sooner the time than the Saxons in India have suspicions about./237/

THE ORIGIN OF EMPIRE

[BY SAMBHU CHANDRA MUKHOPADHYAY]

THE British are never weary of priding themselves on their possession of India. Alone they did it! And none else could! There never were such a glorious people. If they waded to empire through blood, they were just afterwards. If they robbed they gave law. Of course so very Northern a people could not be expected to realise the humour of the situation—the irony involved in the claim. Law and justice are indeed, if not the best feathers in their cap, at least those on which they greatly plume themselves. From lawyers like Sir Fitz-James Stephen and statesmen like Mr. Grant Duff, down to the oracles of the half-penny press or the missionary stump, the cry is the same. Britain has granted India order. As if that *sine qua non*—"Heaven's first law"—had so long been denied her!

Sir Fitz-James Stephen says, justice was England's greatest gift to India. Mr. Grant Duff adds, that English law and justice are moulding and regenerating the people of India. Men who ought to know better than even the acute Legist whose occupation is gone, or the clever Under-Secretary that was, seem to think that, before the arrival of the English, the Hindus and Mahomedans had neither laws nor administration of justice. Even while giving an accurate account of the state of things, an English writer is struck with the difference between England and India and is ready to pity the darkness and ill-fate of the latter. One can be even so nonsensical as in the following: "During the Mogul government, though they had no laws in Hindoostan like English Acts of Parliament, they had various books written by learned and religious men, constituting collections of the Mahomedan immemorial usages and customs, founded on reason and the Koran, which, as in other countries, may be properly called their civil and religious laws", &c.

Clearly, Saint and Prophet, Scripture and Jehovah, do not

come up to the fastidious British mark ! Nothing short of King, Lords and Commons will do ! What are the customs immemorial, approved of the learned and pious before drafts engrossed in parchment embodying the wisdom of bloodthirsty barons and fox-hunting squires, neither of whom could sign their names, or successful tradesmen hardly more famous for scholarship or piety ?

Law, however, is law, and justice is justice, whether in the East or the West, whether recorded in Roman characters or in Nagri or Chinese, whether expounded by a naked Pundit or a gowned barrister, whether enforced by the natural beard of a Kazi or by the powdered wig of an English judge. Parliamentary legislation may be as absurd, as prophetic. The Statute Book of England was, within the memory of our elders, more sanguinary than Moses or Manu. The most selfish Saint would, in these rational peaceful times, have hesitated to enact the inequalities and inequities—the most savage Senator—relentless Draco himself—in this humane modern world, would have shrunk from the barbarities—the insane thirst for blood—of that Code which Christian England had been proud of in the Nineteenth Century.

That English legality, such as it is, to which Mr. Grant Duff attributes such influence over the character of the people of India, is a comparatively modern thing. It came with the Supreme Court, and the Supreme Court was confessedly established to check the spirit of lawlessness and rapacity of the East India Company's servants which had brought ruin upon the country—to evolve something like order in the reign of anarchy. The law of that Court, in substance or procedure, in the circumstances of its introduction or early history or its whole influence on society, was not of a character to raise the most desirable ideas of the morals and manners and even the understanding of the great British people. Such as it was, written or unwritten, substantive or adjective, definite or indefinite, verbal, adverbial, prepositional, postpositional or postprandial, conjunctional (of Hindu, Moslem and Christian Codes) or interjectional, grammatical or ungrammatical, legislative or judge-made, Sruti or Smriti,—it existed not, even in name, prior to 1764, hardly before 1775.

The Courts, with all their short-comings or positive evils, were an endeavour in the right direction—an attempt to suppress dissension and remove discontent and promote individual happiness and social prosperity by supplying a recognised system of rules for conduct and a machinery for determining right and wrong, and for settling disputes in general. But the attempt was one of the later innovations. Previous to that, men did not trouble themselves about silly distinctions between mine and thine. One universal rule of right prevailed—the right of might. In fact, whatever was, was right; and whatever could be, was. Failure or faint-heartedness was the only wrong. That Heroic Age of the British in the East, which was also their Golden,—from the days of the buccaneers to those of the Nabobs—was the saturnalia of lawlessness. The history of /100/ British India is the caterpillar transformation of the mercantile encampment into the permanent warehouse—the fortified factory into the empire. The camp itself was preceded by the watch on deck—in search of a mast or a mart. Amid such beginnings, the administration of justice was out of question. There was need enough for it. A yearning for justice is one of our instincts, and the Golden Age of British India—or the British in India—was not actually the Age of Truth in which no institutions for correction or improvement were needed, for that there no wrong or wretchedness could be. There was enough of treachery and cruelty and plunder and even blood-shed to give occupation to all the courts of Westminster Hall. And guilt stalked unpunished—crime in high places mocked its victims. But not quite without complaint. Sighs and sobs and reproaches were the order of the day. But the elements for law and courts were not all there. The malefactor and the victim and the *corpus delicti* do not constitute an administration of justice. There can be no law in the ordinary sense, in a vessel voyaging the high seas any more than in an army in the field. The master's word is law for the moment, in the interest of all concerned. So was the master-adventurer's among the British adventurers. It would, however, be a mistake to suppose that there is no law in the field or on board. Law in its end is justice—in its method, regularity; and these are the

soul of that discipline so essential in the army and the marine. The commander cannot do just as he likes. His whim is not the rule. He must act according to certain principles and certain forms, and he is responsible to superior powers. Even where a general is absolute, his efficiency depends upon his capacity to command the confidence of his men. All those constitute a sufficient check upon the vagaries of military and naval despots. Such a check too existed on the arbitrary exercise of power by the English Chiefs beyond the sea. It existed, however, only in theory. Their distance from home and any tribunals, their long absence extending at will to perpetual exile, the difficulties of calling them to account, the impossibility of enforcing sentence or decree on them, their facilities for destroying or suppressing evidence and the cost and difficulty of getting up and collecting evidence to bear upon any particular point, their power to purchase immunity, perhaps also a desire not to harass men not highly accomplished, acting under great difficulties and temptations, by criticising their acts nicely, and chastising their shortcomings with severity—perchance a fear of tempting the criminals, specially when they have sinned in a body in large numbers, to set at nought the authority of their employers and colleagues at home and even the crown, as the lesser risk, and set up their own independence—all these circumstances, coupled with the patience and spiritlessness no less [than] the ignorance of the natives who were the chief victims, made them practically above the law—all law.

Those who in those earlier times elected the Eastern career were not generally among the most peaceful, God-fearing, law-abiding of the population of Great Britain. That career itself being often practically nothing better than buccaneering and bartering by turns, according to opportunity,—and even in the more recent and favored times of political ascendancy, simply mercenary soldiering—it was enough if the honor of thieves was maintained. Enough when that mutual justice, without which even a band of out-laws or chartered depredators could not hold together, was respected. Even that was not often the case, and the annals of the English Companies exhibit an almost unvarying



picture of jealousies, hatreds, rapacities and petty tricks against one another. So frequent were their feuds, so desperate their dissensions, so contemptible were these people in their immorality and incapacity, that, were it not for the misfortunes and the degradation of the Indians themselves in the dissolution of the Mogul Empire, even the exceptional virtue and genius of some of the English leaders would not have enabled England to gain that footing in the country that she easily got.

A band of adventurers from the antipodes, as they were, leagued to grow rich in a trice at the expense of the land chosen for the game—their hands against everybody, as everybody's hands were against them—it behoved them the more to preserve internal harmony among themselves—to conciliate one another by constant, careful justice. But even in the pursuit, under difficulties, of a common object, in a strange, little-known part of the globe, the English failed in the commonest self-control—in a decent measure of public spirit. They showed not a moderate share of prudence—even the virtue of necessity. Even in the presence of a common danger, the British could not stoop to be just to one another. Few and meagre as are, and must be, the written memorials of such a brotherhood, they reveal a sad picture of corruption. The adventurers were always at logger-heads, one company against another, this factory against that, each man against his neighbour. Respect for others' rights—moderation of any kind—was a phenomenon. The servants in India openly set at nought the orders of their masters at home. What of nobility of soul there was seems to have been confined to the medical men. Two superb examples of magnanimity in that profession were not only the ultimate foundation of the Anglo-Indian empire, but will save the annals of that empire, with their catalogues of oft-recurring imbecilities and immoralities, from the just loathing of decent men. It was almost a reign of anarchy. The small party of foreigners were divided among themselves for purposes of mutual aggrandisement at the expense of the general interest. The settlements were broken into cliques and torn by factions. Mutiny in camp kept dissension in Council in countenance. The principle of obedience being



wanting, the tact or helplessness of the Chief barely prevented civil war. It broke out, nevertheless, often.

High words in debate followed by duels, is an Anglo-Saxon weakness, still indulged in in America which might yet have been illustrated in Britain between Dr. Keneally and Mr. Sullivan after their late passage-at-arms in the House of Commons, had not that mode of killing been for the moment out of fashion. But indefensible as such sanguinary palaver is anywhere, it is simply shocking when practised far away from home, in a strange land, in the midst of unsympathetic aliens, where the few of one's kith and kin, tribe or nation, are irresistibly drawn together as by a common instinct. The political effects are equally serious. But duels were not the only, or the worst, of the Anglo-Indian amusements. Seizures, confinements, deportations, conflicts of authority, Committees of Public Safety, usurpations, even armed hostilities, were not uncommon. We are not disposed to be severe upon others for weakness common to humanity. There are crimes of empire which, being so common however reprehensible, we are almost prepared to accept as necessary evils. But the British pretensions at least must be moderated. The English boast is sickening to the student of history. As suggesting a contrast unfavorable to our countrymen, it is peculiarly offensive to us. The truth must be admitted, that from the time of Sir John Child's to that of Sir John Malcolm, British Indian history is not one to make an imperial people proud. The adventurers do not shine in the public virtues of patriotism, discipline, moderation and organization, any more than in the more personal ones of simplicity, straight forwardness, and honesty. /101/

It may appear strange that they succeeded at all. But history is a record of the miscarriage of the noblest undertakings, carried on under the most favorable auspices, as biography is a memorial of the disappointments of genius—the failure of those that ought to have succeeded, the success of the drone and the nincompoop. Success is no test of worth or soundness. It is no proof even of exertion or object. Turanian and Aryan, Hindu and Buddhist and Hindu again, Pathan and



Mogul, have, in the vicissitudes of fortune, ruled in India, one after another, without, we hope, quite the English bad taste of indulging in the blasphemous prattle of 'manifest destiny'—'The hand of Providence'—and such other Yankeeish nonsense. The Dutch at one time threatened to be masters in the East. The Portuguese were masters for about as long as the British, from the Persian Gulf to the Sea of China, with the blessings of their Popes and the crimes of their Inquisition. The French missed empire by a hair's breadth. The English got it by an accident. They did not want it. They knew it not after they had got it. At Home they would not believe it long after, and insisted on the old exploded basis of commerce at the several depots or factories. Full as history is of the greatest surprises, this wind-fall of a great empire to the agents of a body of London merchants inspired with no higher ambition than profitable sale and purchase for their employers, is, unquestionably, the most staggering. /102/

THE ILBERT BILL*

BY LALMOHUN GHOSE

Mr. Lalmohun Ghose, received with cheers, said he had to thank the meeting on his own behalf and on behalf of his countrymen for giving him that opportunity of laying before them some of their views in regard to the policy of the present Viceroy of India, with special reference to what was generally known as the Ilbert Bill, which had formed the subject of very bitter controversy between the people of India, on the one hand, and the resident English population, on the other. The real issue between the parties—that which underlay the present discussion and gave it the importance which it would not otherwise possess—was the all-important question whether the policy laid down by the Act of Parliament passed in the year 1833, and re-affirmed by the Queen herself in the Royal Proclamation of 1858—a policy of equal justice towards all classes of Her Majesty's subjects in India—(cheers)—whether that policy was to continue to be the guiding principle of the Indian administration, or whether it was now to be reversed; whether the Indian Empire was to be henceforth maintained solely in the interests and for the benefit of a handful of Englishmen in the East. (Cheers.) That was the question, which was never put in that simple and naked form by their /20/ opponents because they were well aware that such a question so put could get only one response from the people of this country; and his countrymen, for their part, had also the fullest confidence in the country's sense of justice. (Cheers.) If any further evidence were needed on such a point, it would be furnished by meetings such as these, and by the hearty demonstrations of approval with which they received those refer-

*A lecture delivered in the meeting held at the Royal Public Rooms, Exeter (U. K.), under the auspices of the Exeter Liberal Association, on the 4th September 1883.

ences to the policy of 1833. (Cheers.) Their opponents would have very much trouble to be able to decide this question themselves, and without the slightest reference to the wishes of the English nation but since that was impossible, they were now trying as much as lay in their power to darken the issues in the hope that the English people might be hoodwinked into pronouncing the judgment in their favour before they had rightly comprehended the real nature of the question which was submitted for their decision. (Applause.) Although, as he had said, the real question in dispute was the general character of Lord Ripon's policy, yet the opposition was ostensibly directed to the legislative measure known as Ilbert Bill. (Applause.) That Bill was a small measure in itself, and but for the important principles involved, it would be impossible to account for the vehement opposition which it had excited. (Hear, hear.) Judging from the violence of that opposition, they would imagine it possible that nine-tenths of the Anglo-Indian gentlemen in India spend their time in the Police Courts. (Hear, hear, and laughter.) They were paying a very bad /21/ compliment to themselves, and had so far forgotten themselves as to pay a very grossly bad compliment to their ladies, because they were very fond of saying that delicately-nurtured English girls were to be brought up before Police Magistrates. (Laughter and cheers.) For himself he could not understand why ladies should be brought up before a Police Magistrate at all. (Hear, hear, and laughter.) But before he made any other comments upon this matter, they would, perhaps, allow him to explain to them very briefly the general scope and history of the Ilbert Bill, so that they might be able to judge for themselves whether it was a revolutionary measure such as it was represented to be by their opponents ; or whether it was not rather, as they regarded it, but a small instalment of the justice that was promised to their fellow-subjects by a Liberal Parliament and our common Sovereign. (Applause.) This Mr. Ghose very lucidly did, and proceeded to say that attempts had been made from time to time by successive Indian administrations to carry out practically the policy of 1833 ; but

they had invariably provoked the bitter opposition and uncompromising hostility of the resident English population in India. Even a statesman like Lord Lawrence—one of the greatest of Indian Viceroys—had to complain of the conduct of his countrymen in India in the strongest possible language. The result was that—notwithstanding the declaration of Parliament notwithstanding the express directions of the late Court of Directors, and notwithstanding the reiteration of those promises by Her Majesty in the Proclamation of /22/ 1858—they would be surprised to hear that the European population in India, until eleven years ago, continued to be entirely exempt from the administration of justice in the local Courts. In 1872, a European subject could only be tried in one of the Courts of a Presidency Town; and Mr. Ghose graphically pictured to his audience what such a state of the law meant; it was as if a man, for an offence committed in Exeter, would have to be tried at Berlin or St. Petersburg. The consequence was that almost all the crimes committed by Englishmen in India went entirely unpunished. To tell ignorant and the poor Hindu ryot in the interior of the country—living, perhaps, 1,000 miles from the Presidency Town—that if he wanted redress for any wrong committed by an Englishman on himself he must go with all his witnesses to Calcutta, Madras, or Bombay—as the case might be—was to tell him, in other words, to bear it and be content—that there was no justice to be had against an Englishman—that an Englishman was a superior being whom the laws of the land could not touch. (Cheers.) That was the state of the law, which was pronounced by every judicial and administrative authority in India to be a gross mockery of justice. (Cheers.) In 1872, a measure was introduced for the purpose of conferring upon the local Courts of the interior of the country some small and limited jurisdiction over Englishmen residing in India. But the jurisdiction which was then conferred was extremely limited. For instance, a Sessions Judge who was empowered to pass sentence of death upon a Native of India was only empowered to send a European /23/ to prison for twelve months. (Shame.) No doubt it was a shame that distinctions of that kind should be suffered to exist



in the Criminal Code of a country. (Cheers.) But, as if they had not already enough of those shameful and offensive distinctions, a fresh distinction was introduced in 1872—a distinction hitherto unknown. Up to that year all judicial officers in the service of the country were on a perfect footing of equality. Every Judge and every Magistrate exercised, as a matter of course, all the powers belonging to his office without the slightest reference to his own race or nationality. (Applause.) But in 1872, by that Code to which he was referring, it was enacted that the small powers which were then for the first time conferred upon the local Courts, were to be exercised only by such officers as were themselves Europeans. It was only that new disqualification—imposed for the first time eleven years ago, and which, therefore, could not be defended even on the doubtful plea of antiquity—(hear, hear)—it was that disqualification alone which was sought to be removed and altered by the Ilbert Bill. (Cheers.) That Bill left all the other laws which were in favour of Europeans entirely untouched. (Hear, hear.) In all serious cases the Europeans would still have to be tried by one or other of the High Courts. The powers of the local Courts would continue to be as limited and as circumscribed as ever. Englishmen, unlike Natives, would continue to have the right of appeal to a higher Court, and would also have a right to claim to be tried by a mixed Jury, one-half of whom, or more, must be either /24/ Englishmen or Americans. The Ilbert Bill only proposed to restore Native judicial officers of the higher rank to a footing of equality with their English colleagues, and it only laid down that certain Judges and Magistrates of local Courts who had been deemed by the Local Government fit to be appointed to certain higher offices—that they should not be debarred from exercising any portion of the jurisdiction ordinarily attaching to those offices. (Cheers.) At the time that the disqualification he had referred to was introduced in 1872, it led to no practical mischief or inconvenience, because at that time no Native Judges or Magistrates had attained the rank in the Covenanted Service which would, but for that race disqualification, have entitled them to the position which the Ilbert Bill proposed to give them.

But matters had changed since then. Now some of his countrymen who had won their way into the Covenanted Civil Service in open competition with Englishmen—(cheers)—some of those gentlemen had risen to the higher grades of the Service, and difficulties had already begun to be felt in regard to their position. The question was whether those gentlemen of whom he had spoken, who had given uniform satisfaction both to the Government and to the public, and who had shown themselves in every way deserving of promotion—whether those men were to be ever kept in out-of-the-way, undesirable, and unhealthy places, because in the more coveted and desirable stations there was a resident European population, and European prisoners might have to /25/ be brought before them, with whom—by the disqualifying law of 1872—they would be unable to deal? That was the question which Lord Ripon had to face. Mr. Rivers Thompson—a gentleman who had been more or less opposed to every liberal measure of the Viceroy—had stated that the number of those Native members of the Service was so limited that the Government should have no difficulty in finding a sufficient number of out-of-the-way places where those gentlemen might be placed. (Shame.) It might be a matter of indifference to Mr. Rivers Thompson, installed in his palatial residence in Calcutta; but he asked them whether it was not a most serious hardship to the officers concerned—whether it was not a breach of the equality which such Native gentlemen had a right to expect under the covenants of their Service and the Proclamation of 1858—whether it was not one of those things of which not only those gentlemen themselves, but all their countrymen behind them, had a right to complain and feel indignant? (Cheers.) It was said by another class of critics that this was not a proper time to legislate upon this subject—that Lord Ripon should have waited until the number of Native Magistrates had increased to such an extent as to give rise to an imperative demand for the removal of this distinction. Which, he asked, was the wiser or the more statesmanlike course to pursue? Was it not better—did it not indicate more prudent foresight to know the season when to take occasion by the hand and to deal with difficulties as they first began to

make themselves felt, /26/ than to fold arms and look on helplessly until the difficulties had increased and accumulated—until their hands were forced, and they were driven to legislate under a howling clamour and an overwhelming demand for reform? (Loud cheers.) Such a policy would be dangerous in any country, but the danger would be something enormous in a country like India. There had always been a certain class of persons who, when they found themselves unable to deny the abstract justice of any measure of reform, fell back upon the assertion that it was inopportune. (Hear, hear, and laughter.) If they were to wait until those sapient gentlemen had pronounced the fitting period had arrived, then they would never have any reforms at all. (Cheers.) What were the other objections to this Bill? He would not dwell upon the ability, the capacity, or the integrity of Native judicial officers, because that was a subject upon which their friend, Sir John Phear, would be able to speak with a weight and authority which few besides could possibly lay claim to. He had already told them of the gentlemen who were to be immediately affected by the passing of the Ilbert Bill: there were a few others who would be thereby affected, and to whom he would refer presently. But the gentlemen who would be immediately affected by this Bill were those who had entered the Service by competition in England. They had already had long judicial experience in India. They were brought up and trained in English schools and colleges; they had the advantage of several years' /27/ residence in this country; and they had gone back with a thousand pleasant associations of England and English people. (Cheers.) He asked, were those men likely to prove false to all their antecedents and to betray the trust that was now proposed to be given them? (No, no.) Was it fair or just to assume that such men would be swayed by race prejudice when called upon to administer justice between man and man? (No, no.) But, apart from these considerations, what did past experience teach us? Some of those gentlemen had already exercised jurisdiction over Europeans as Magistrates in the larger Presidency Towns, where no distinction was recognised between Native and European Magistrates; and it was an undisputed

fact that those Native gentlemen who had acted as Presidency Magistrates, and who had had to deal with European criminals, had performed their official duties to the completest satisfaction both of the Government and of the people of India. (Cheers.) Their perfect integrity and thorough impartiality had never been questioned or suspected for a moment. (Cheers.) Then he asked if it was not preposterous to suppose that those same gentlemen, when appointed to higher offices in the interior of the country, would suddenly change their characters and develop a variety of faults which had been hitherto conspicuous by their absence? (No, no, and cheers.) Then it was said by some of their opponents that there were in India false cases because of a good deal of false evidence; that, therefore, it was undesirable to invest Native Judges with jurisdiction over /28/ Europeans. (Laughter.) He was not aware after all that there was much more perjury in India than in this country. (Cheers, and laughter.) All had heard and read something about the great Tichborne case, for instance. (Laughter.) It was not for him to say on which side the rights and wrongs of that case might lie, but no one could possibly deny that perjury of the most astounding character was committed. (Hear, hear.) He would not go into that question. But even admitting for argument's sake, that they were worse off in India in that respect than we were in this country—how did that help the opposition? (Cheers.) They did not question the impartiality of Native Magistrates; then how could they, with any consistency or reason, argue that because there was a good deal of perjury in India, therefore it was indispensable that every case should be tried by foreign Judges, who must of necessity be less acquainted with the people and their ways—(cheers)—and who must be very imperfectly acquainted with the language of the country? (Cheers.) Was it arguing like rational men to suppose that Native Judges and Magistrates who were born in the country, and who had sprung from the people—that those men would not be able to weigh the evidence of their own countrymen or to discriminate between truth and falsehood as their English colleagues? (Cheers.) The more they examined the arguments

urged against this Ilbert Bill the more they would be convinced of their utter worthlessness. (Cheers). But, nevertheless, they found that the High Court of Calcutta—which, he was very sorry /29/ to say, had much degenerated since the days of Sir John Phear—departing from all its traditions of political neutrality, had recently issued a political manifesto in the shape of a Minute protesting against this Ilbert Bill. He would leave it to Sir John Phear to deal with that Minute in detail, but he should like to say a few words on it. He might mention, first of all, that, as against the prejudice of the Calcutta Court, the Ilbert Bill had more or less the support of three High Courts in India—of Madras, Bombay, and Allahabad. (Hear, hear.) The Calcutta Court had drawn a distinction between those Native members of the Civil Service who had entered that Service by competition in England, and those who had been appointed by nomination in India. Now, as regarded the competitive members of the Service, their opponents were unable to urge one word against their fitness. They only contended themselves with saying that the number of those men was so limited that it was not worthwhile to legislate on their behalf. They also described them with ill-disguised satisfaction as a small and dwindling class; and, judging from the sentiments which found expression in that Minute, it was certainly not the fault of the Calcutta High Court that the Civil Service was still open to the Natives of India. But the opposition of the Judges was mainly directed against the conferring of that power upon those members of the Service who had been appointed by nomination in India. What they said was this—Those men did not undergo any public test, and there was no knowing how that class of offi-/30/ cials might turn out. He entirely agreed with the Judges of the High Court, for he could say for himself and the majority of his countrymen that they were strongly opposed to that system of nomination when it was first introduced in 1879 by Lord Lytton, and they protested against it with all their might, for they wanted a fair field and no favour—(cheers)—they wanted to enter the Service by the open-door of competition and not by the back-door

of nomination. (Cheers.) But how did this question arise at the present moment? Those men might or might not turn out to be worthy of the confidence of the Government. If they did not turn out to be worthy and fit, then they would not have the jurisdiction under the Ilbert Bill, for it was not intended by the Ilbert Bill to confer the jurisdiction upon any one, whether he was a competitive or nominated member of the Service, until after the Local Government had watched his works for years, and was satisfied that he was a man of sufficient ability, integrity, capacity to be entrusted with those powers. (Cheers.) Their Lordships forgot or slurred over—for he could not understand men of their training and education forgetting anything like this—they purposely slurred over the fact that the Ilbert Bill is not a compulsory thing, but merely an enabling law. It simply empowered the Local Government in certain cases where they were perfectly satisfied of the fitness of an officer to invest him with that jurisdiction which, under the existing law, would, under no circumstances, be conferred upon him. (Loud cheers.) There was only one other /31/ point in the Minute of this High Court to which he would refer. The Judges said it was a natural feeling for people to wish to be tried by their own countrymen, but it was a most dangerous lesson to teach in India. (Hear, hear.) He would like to ask their Lordships what they would think if a population of 250,000,000 said it agreed with the Judges, that it also shared that natural feeling, and demanded that the Government and Legislature should respect that feeling in its case just as in that of a European nation. (Applause) What would then become of European Magistrates and the Judges throughout India, who were enjoying such large salaries, and who, for every one European case brought before them, had to deal with ten thousand Native cases. Most of them would find their occupation entirely gone if the principle insisted upon by the Judges of the High Court was to be rigidly enforced. Looking at the question from what point of view they might, it was impossible to come to any other conclusion than that after all there was no valid objection to this Bill, but that it was opposed by those who saw in it as



clearly as the Natives an unmistakable indication on the part of the Government to carry out the mandate of Parliament, and fulfil the promises of the Queen. (Applause.) The more the question was considered, the deeper would be the conviction that the opposition was not so much to the Bill as it was to the policy of England in the matter of the treatment of Indian subjects. The Anglo-Indian opposition had chosen for its champion in the House of Lords, Lord /32/ Lytton, who during his tenure of office, did as much as possibly could be done to weaken and undermine the foundations of the Indian Empire by coercive legislation, by grinding taxation, and by needless and aggressive wars across the Frontier. Then, again, a deputation which waited on the Earl of Kimberley was fitly led by Sir A. Arbuthnot, who was unknown to fame even in India, where fame was sometimes so cheaply earned, until he achieved the unenviable distinction of being the member in charge of the Vernacular Press Act. In addition to these two leaders, the opponents of the Bill had also found a fitting champion in the House of Commons in the person of Mr. Ashmead-Bartlett. (Laughter). He (Mr. Ghose) took particular pains to hear that gentleman on Wednesday last, when the speech, which had been so long coming out, was at length made public. On that occasion Mr. Ashmead-Bartlett did him the honour to turn his eye-glass upon him—(laughter)—and refer to him in terms of no overwhelmingly flattering character, but he (Mr. Ghose) trusted that he as well as his countrymen would survive those invectives. (Applause.) The Natives of India deeply regretted the action of the Anglo-Indian community, but they were not surprised at it, for it was impossible to expect men who profited by a monopoly and enjoyed certain special immunities to be eager for reforms or to submit very cheerfully to any curtailment of their privileges. Only the other day the Prime Minister—(loud cheers)—they would probably be pleased to hear that it was hardly possible even for them to honour Mr. Gladstone /33/ more than the Indian people did—(renewed cheers)—the Prime Minister declared in eloquent language that in the British Colonies, in every instance, the resident European

population had been bitterly opposed to any extension of the freedom and extension of the enfranchisement of the weaker race. (Shame.) What happened in the Colonies had now happened in India, and if the voice of those who wished to perpetuate a policy of crime and blood in India was listened to, he would be a bold prophet who could say what would occur in the future, and how long peace and concord would reign. The Natives of India were not afraid, and could not believe that in the 19th century, that with all its progress and enlightenment, the present generation would be found to be less wise, less just, or less generous than their forefathers in 1833. They could not believe that England would consent to reverse the noble policy of half-a-century ago, or tear up the Queen's Proclamation of 1858 in order to gratify the unworthy instincts of those who, if they had their way, would drag the name of England the mire, and bring on the Indian Empire some terrible catastrophe. He hoped that the meeting would give all the support it could to the Viceroy who was endeavouring to carry out the mandate of Parliament and the English nation, who had done more than most of his predecessors to rivet the bonds of union between England and India, and whose name was enshrined within the hearts of their fellow Indian subjects. /34/

THE NEW SEDITION LAW*

BY ROMESH CHUNDER DUTT

The following report of Mr. Romesh Dutt's speech is taken from a published report of the proceedings. He moved the following resolution.

"That this meeting condemns the new Sedition Law of India, (1) which makes invidious distinctions between different classes of Her Majesty's subjects ; (2) which seeks to restrict the free discussion of Indian measures by Her Majesty's Indian subjects in England, by threats of prosecution on their return to India ; (3) which takes away the liberty of the Press that has been enjoyed in India for over half a century, and substitutes a method of repression unworthy of the British Government ; (4) which empowers magistrates in India, who are heads of the police, to demand security for good behaviour from editors of newspapers, to refuse such security when offered, and to send the editors to gaol with hard labour, *without trial for any specific offence* ; (5) and lastly, which is based on suspicion and distrust against the people, and is thereby calculated to alienate the people and weaken the foundations of the British Empire in the East."

Mr. Dutt said : I feel some hesitation in rising to move this resolution because, as you are aware, I have spent the best years of my life in the service of the great Indian Government, and I feel a pardonable pride in having done my humble little in serving the cause of good government in India. (Cheers.) I felt therefore, some hesitation in accepting an invitation to speak on the /51/ subject of the blunders of the Indian Government. But the blunder on this occasion has been so serious, and is liable to be followed by consequences so disastrous, that I felt I should not be doing my duty towards my countrymen, or to the Government which I have served so long, if I did not on this occasion raise my warning voice against this unwise piece of legislation.

*Speech made at a Conference of Indians held in St. Martin's Town Hall, London, on June 20, 1908.

(Loud cheers.) The idea of gagging the Press of India is not a happy one, not even a new one. As most of you are aware about twenty years ago another Indian Viceroy, Lord Lytton, who waged another frontier war, conceived the idea of silencing criticism in India by means of gagging Act. He gagged the Vernacular Press by an Act in 1878, and you know what followed. The Liberal Government came into power two years after, and that Act was expunged from the Statute Book of India—(Cheers)—by that great and righteous statesman whose recent death has caused sorrow and lamentation in India as well as in England. Once more, now, we have as Viceroy who has passed another law, gagging this time not only the Vernacular Press but the whole Press, English and Vernacular, Native Indian and Anglo-Indian. I shall be very much surprised if this Act remains very long on the Statute Book. I feel perfectly sure that, if the universal sorrow which has been manifested at the death of Mr. Gladstone indicate some appreciation of those righteous principles which guided his life, then there is not the remotest doubt that the leaders of liberal thought in England will take an early opportunity of removing from the Statute Book an Act which is a disgrace to British Legislation./52/ (Cheers.) With these few remarks I think I will now at once go into some of the details of the Bill. You know that, about this time last year, a hint was received by some members of the House of Commons that it was contemplated to pass an Act to silence criticism in India and to gag the Press. The Leader of the Opposition put a question to the Secretary of State for India, asking him whether, before such an Act was passed, he would give the House of Commons an opportunity of knowing and discussing the details of the measure. Lord George Hamilton replied that the Indian Government was primarily responsible for the maintenance of peace in India, and the Indian Government, therefore, should have the initiative on all Indian measures. I particularly invite your attention to this reply, because I am going to show from the Blue-book which I hold in my hand that Lord George Hamilton has not acted in accordance with this statement. He has not allowed the Indian Government to act on its own

opinion with regard to this Act, but he has in some respects forced the Indian Government to go further in the methods of repression than the Viceroy intended or desired to do. Soon after this, Parliament was prorogued, and the House did not re-open until February. Then the question was raised by one of our truest friends in the House of Commons, Mr. Herbert Roberts—(Cheers)—who discussed this proposed law in an eloquent and convincing speech. I will not repeat all the remarks he made on that occasion, but there is one sentence which I wish to read, because it truly describes the nature of the Act which has since been passed. He /53/ said, "The result of the new law, if passed, will be to open up an endless vista of prosecutions against editors of newspapers in India." Another member who sits on the Government side of the House, Mr. Maclean, said, "You can govern India by your justice and generosity, and in case of need by force of arms, but you will never do it by preventing the free expression of opinion among the people." (Cheers.) What was the reply of Lord George Hamilton? He assured the House that the law was under the consideration of the members of the Viceroy's Council, and that it was not then the proper time to discuss it in the House of Commons. He said that after the law had been passed it would be published, if desired, and opportunity would then come for discussion. The papers have since been published, but no opportunity for discussion has been given; nor will it be given until the closing days of August, when the Indian budget will be discussed, as usual, before empty benches. (Cries of "Shame".) I am not at all surprised at this unwillingness of the Government to discuss it, because the Act contains provisions so antagonistic to the principles of British law that the most powerful Government we have known for many years may well hesitate to bring it before the House of Commons. The law consists of two amending Acts. One amends the Penal Code, and the other amends the Criminal Procedure Code. With regard to the Penal Code, section 4 is repealed and the following is substituted for it. "The provisions of this code apply also to any offence committed by any native Indian subject of Her Majesty in any place /54/



without and beyond British India." That means that if any Native Indian subject of Her Majesty criticises, in a way which the new law forbids, the acts of the Indian Government in this country, in this town of London, or in this hall this evening, the Indian Government takes the power to prosecute that Indian gentleman, not in this country, not before an English magistrate or an English jury, but when he goes back to India, four, five or six years hence. Then he will be taken before an Indian magistrate who is also the head of the local police. (Cries of "Shame".) In every civilised country the law declares that an offence shall be tried in the country in which it has been committed, but the Indian Government, in its anxiety to get all Native Indian subjects within the clutches of the Indian law, have provided that, wherever the supposed offence is committed, the Government will wait until the supposed offender goes back to India, and will then haul him before an Indian magistrate, who is the head of the local police, in order to get him convicted. (Renewed cries of "Shame".) And mark, that this provision has been made specially to apply only to Native Indian subjects of Her Majesty. Therefore, if an Englishman should be so misguided as to write something in newspapers here, or to speak something which might increase the ill-feeling between race and race in India, there is no provision for prosecuting him in India. But if an Indian subject tries to reply to him in a manner calculated to have the same effect, then he can be prosecuted when he goes back to India. Is this in conformity with the promises and /55/ pledges so often given of equal justice to all classes of Her Majesty's subjects? (Cries of "No".) Now let me pass on to the main alteration made in the Penal Code, and that is the definition of the words "disaffection". The word was carefully defined by a lawyer whose name is as well-known in India as in this country, I mean Sir James Fitz-James Stephen. (Cheers.) He defined it so as not to include such disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government. That means that whatever our criticisms are—and I trust that all British subjects in all parts of the world will always criticise

the acts of the Government, and so help the cause of good administration (Hear, hear)—so long as those criticisms are consistent with a desire to render obedience to lawful authority, there is no sedition. Will you believe it, that this most necessary and important provision has been struck out in the present law? And will you believe it, that the provision has been so struck out not because the Viceroy of India considered it necessary to do so for the safety of the Empire, but against the wishes and against the recommendation of the Viceroy by mandate of the Secretary of State for India? (Cries of "Shame".) The Viceroy said in his despatch that it was not necessary to amend Section 124A, since the highest courts in India had laid it down that the section did in substance reproduce the law of sedition in force in the United Kingdom. He added, "we consider that it is not necessary or desirable to amend the section. It might /56/ be possible by redrafting it to make its meaning more clear, but we think it unwise to undertake any revision of it so long as the interpretation hitherto placed upon it by the Courts in India is maintained." To that Lord George Hamilton replied, "I have come to the conclusion that the section should be revised, and that being so it seems better to make the alteration simultaneously with the change of jurisdiction." Not only that, but Lord George Hamilton also sent out a suggestion of what the definition should be, namely, that "disaffection includes all feelings of ill-will." (Laughter.) So, if the remarks have just fallen from our Chairman about the Currency question have excited in you any feelings of ill-will—that is disaffection! If the remarks which I have the misfortune of making with regard to the new sedition law are exciting in you any feelings of ill-will—that is sedition! If the remarks which my esteemed friend Mr. Bose may make later on about the proposed Municipal law for Calcutta excites any feelings of ill-will—that is sedition! And if the remarks of my esteemed friend Mr. Khalil about the Indian frontier war produces such an effect on your minds—that is sedition! (Loud laughter.) This is how the Act was proposed to be altered, and although the Viceroy did not desire it, although he thought it "unwise," yet it is probably not known to you that legislation



in India is to a great extent carried on by "mandates" from this country, and the Viceroy had virtually to accept the orders of the Secretary of State for India. (Cries of "Shame".) The definition finally adopted was that "disaffection includes /57/ disloyalty and all feelings of enmity." It leaves the offence dangerously vague and undefined. I have now only a few other remarks to make about the important changes in the Criminal Procedure Code. One of the most startling of these is that which classes the editors of newspapers with vagabonds, professional thieves, and professional burglars—(Laughter)—in so far that a magistrate is empowered to demand from them security for good behaviour, to refuse such security when offered, and to send them to gaol with hard labour, without any specific offence having been proved. (Cries of "Shame".) For you will understand that if any specific offence is proved proceedings are brought under the Penal Code. If no specific offence is proved, then, on vague information, on vague stories heard by the Magistrate, he can fall back on the Criminal Procedure Code, and send an editor to prison with hard labour. The Government of India had hitherto empowered the magistrates to take this course with regard to notorious bad characters. I myself, as an Indian Magistrate, have exercised this law for about 20 years. When I found crime increasing, and the universal suspicion of villagers pointing to a particular man as the author of the crime, I have called on that man to give substantial security for his good behaviour, and on his failing to do this I have sent him to gaol with hard labour. This law has so long been reserved for habitual offenders, for notorious thieves, burglars, and extortioners. It has now been extended to editors of newspapers. (A Voice: "A downright shame".) Can you conceive a county Magistrate in /58/ this country calling upon the editor of the *Times* or the *Daily Chronicle*, the *Daily News* or the *Manchester Guardian* to give security for good behaviour on the strength of information he had received, and on the editor failing to satisfy the magistrate in regard to security, sending him to gaol? (Laughter.) There is one other amendment to which I wish to allude. Hitherto all these offences relating to sedition have been tried by experienced judges. Now, this important class of



offences are to go before district officers—men of high education and responsible position, no doubt, but men who represent the Government in their districts, and who are mainly responsible for the peace of their districts. So that virtually it comes to this, that the man who is the head of the police and the virtual prosecutor in all criminal cases, is to try editors or bind them down for good behaviour. I can only say that this condition of the law reminds me very strongly of the law which prevailed in England 200 or 300 years ago for stamping out witchcraft. They took an old woman suspected of being a witch and threw her into a deep pond. If she floated, that was considered a proof that she was a witch, and she was burned at the stake; if she sank, that proved that she was innocent, and she only died of drowning. (Loud laughter.) So in the case of editors, if any specific offence is proved against them, they are convicted and sent to gaol under the Penal Code. If no specific offence is proved against them then they are not convicted, but are sent to gaol for failing to furnish security for good behaviour under the Criminal Procedure Code. /59/ ("Shame".) I have only to add a word or two. I have told you that I have passed the best years of my life in the service of the Indian Government, and for many years I was in charge of important districts which in area and population far exceed the limits of an ordinary county in this country. Being thus isolated, as a Government official, in the midst of vast populations, I felt that my own security, and the security of the Government which I humbly tried to represent, rested on the confidence of the people in the justice and fair play of the British Government. It is with deep regret that I have to say that I can hardly remember any time—and my memory goes back to the time of the Mutiny—when the confidence of the people of India in the justice and fair play of English rulers was so shaken as it has been within the last two years. (Cheers, and a Voice: "Very true".) It is a calamity that this should be so. It is a grave calamity that the very foundation of British rule in India, our confidence in the justice of English rule and English administration, should be shaken; but it is a still greater calamity that the British Government itself should in this

Sedition Law show its weakness and its want of trust in the people. (Cheers.) In the interests of my countrymen and of the Government of my country, I do ask those men who shape our destinies to turn back from this policy of coercion and repression, and to turn to that policy of conciliation and trust and confidence in the people by which the British Empire in India has been established, and by which alone it can be maintained. (Loud cheers.) /60/

INDIAN UNREST

HOW IT ORIGINATED AND WHY IT CONTINUES

BY SURENDRANATH BANERJEA

THE present unrest in India may be set down to the following causes :—(1) The utter disregard of Indian public opinion by the Government, of which the most notable illustration was afforded by the partition of Bengal. (2) The creation of racial animosities in at least two of the great provinces in India—the Punjab [and] East Bengal—by the introduction of racial bias into the administration. (3) The wide divergence between profession and practice on the part of the Government and the non-fulfilment of solemn pledges such as are given in the Queen's Proclamation and the consequent failure to associate the people in the government of the country and to accord to them a recognised status in the administrations. (4) The contemptuous treatment of Indians by /111/ Europeans. (5) The hostile attitude of an influential section of the Anglo-Indian Press (whose views are listened to by the Government with respect) in regard to Indian aspirations and the violent and contemptuous language which often marks its utterances. (6) It may be added that the subsequent repressive measure have greatly intensified the unrest.

As regards the first of the aforesaid points, Lord Curzon's administration afforded the strongest illustration. The one end of Lord Curzon's policy was efficiency of administration to be secured by filling the higher offices with Europeans. Against this policy the Congress of 1904 recorded its protest. It was regarded as the practical reversal of the policy of the Queen's Proclamation. In carrying out his policy of efficiency, Lord Curzon treated Indian public opinion with open and undisguised contempt. On the top of all this came the partition of Bengal. It represents the deepest outrage upon popular sentiments which has been witnessed within the lifetime of this generation.

When the partition of Bengal was first proposed, it evoked the strongest opposition from both the /112/ Hindu and the Muhammadan communities concerned.

Instead of modifying or abandoning the project, the Government, in the quiet recesses of the secretariat bureau and unknown to the public, enlarged the scheme, added the whole of North Bengal to the original project and, without giving the public the smallest hint of its proceedings, all on a sudden declared that the partition had been resolved upon. The indignation of the people was roused to fever heat, and an agitation was set up against it such as has never been witnessed. It is with us what Home Rule is with the Irish. We cannot give up the agitation against it.

The partition may be said to be the root-cause ; and, as Mr. Gokhale has truly observed, the unrest of Bengal has caused the unrest of all India. There are new facts of the most convincing nature created by the partition of Bengal which call for the reconsideration of this measure. Before the partition was carried out, Hindus and Muhammadans lived in amity and good will. Since the partition considerable ill-will has been created /113/ between the two communities. The bulk of the inhabitants of the new province are Muhammadans and they have been taught to believe that the province has been created for their special benefit, and that they are a privileged class. The Government made no secret of their intention that they wanted to create a Muhammadan province.

Among the fruits of the partition may be mentioned : (1) The unrest in the new province which has created the unrest in Western Bengal and all over India. (2) The policy of repression which followed the partition and has not yet been abandoned, adopted with a view to put down the unrest. (3) The ill-will between Hindus and Muhammadans, who had hitherto lived in peace and amity, which must be a permanent source of embarrassment to the administration. (4) The class bias which is apparent in the policy and the proceedings of the authorities.

The Queen's Proclamation was issued on the 1st November



1858. The Proclamation had abolished race as the test of qualification for high office. The resolution of May 1904 affirmed /114/ that race connotes qualities and that the Imperial Service (which is the highest service in India) should be *corps d'elite* to be filled for the most part by Europeans and that even in the technical branches of the public service, the higher appointments should be their monopoly. It is worthy of note that under the Muhammadan rule, race or religion was no barrier to employment in the highest offices, and that Hindus often filled the most responsible offices in the State.

The contemptuous treatment of Indians by Europeans, and the hostile attitude of a powerful section of the Anglo-Indian Press are matters of public notoriety. Sometime ago the Indian Association of Lahore, in an official letter, called the attention of the Government of the Punjab to certain articles which appeared in the "Civil and Military Gazette" of Lahore, which constituted, to quote the words of the Government letter, "a Campaign of calumny against the Indian community in general and the educated class in particular."

The reply of the Government (dated 1st November 1907) was interesting and instructive. It admitted the charges against the "Civil and Military /115/ Gazette" but declined to take any legal proceedings. Yet for offences of the same kind, the editor and the proprietor of the "Punjabee" (an Indian newspaper) were prosecuted by the Government, and sentenced to long terms of imprisonment by the courts of law. The law is thus held in abeyance against Anglo-Indian and Muhammadan writers, indulging in the fiercest racial provocatives. Against Hindu offenders of the same class, its terrors are enforced in all their rigour. Yet the fact remains that the Hindus form the bulk of the population in India.

The present unhappy lawless developments have undoubtedly their roots in the prevailing discontent. When a whole community is discontented and exasperated, it is only natural that some people more excitable than the rest should lose their heads and do foolish and violent things. The anarchic development is only one of the outward manifestations of a serious distemper

in the body politic, the causes of which are to be found in the reactionary policy of the last sixteen years and more, and which reached its climax during Lord Curzon's regime. /116/

Lord Morley's reform scheme is a notable and distinct step towards conciliation. India is rapidly advancing; and the reform scheme represents an effort conceived in the spirit of sympathy and liberality to adapt the administration to the newly developed requirements of the situation. It is altogether a mistake to assume, as the special correspondent of the "Times" does, that the scheme makes concessions that are lavish and unthought for. On the contrary, it does not, in some important matters, come up to our anticipations. We have not got the power of the purse which we wanted, at least in some important departments of the State, and we have not got a definite or effective measure of self-government, which we have been urging from the Congress platform. But it is a beginning, and a good beginning, and our people welcomed it as such. In Bengal, however, there is a serious difficulty. The partition remains unmodified and Lord Morley has told us that he would be no party to the reversal of the partition. What Bengal wants is not the reversal but some modification of the partition. /117/

How deplorable the blunder of the partition has been will appear from the policy of repression that has been followed in order to combat the feeling which the partition has evoked. There could be no stronger condemnation of the partition than the adoption of a policy which is in such entire conflict with British traditions of government. The main features of that policy are: (1) House-searches; (2) domiciliary visits by the police; (3) suppression of societies by executive order; (4) deportations without trial. House-searches are most repugnant to Indian feeling. In one case the High Court granted damages for Rs. 500 to a zemindar whose cutcherry (court-house) had been searched by the Magistrate of Mymensingh.

In by far the majority of cases the searches were fruitless, and only served to create irritation. They have created a sense of uneasiness among the Indian community. At Dacca,

the capital of the new province, about 200 young men are treated as suspects, and their houses are visited by the police almost every night. No charges have been brought against them. /118/ The head and front of their offence seems to be that they were members of associations which have since been suppressed by order of the Government, but which were perfectly legal when they were connected with them.

Several associations have been suppressed by executive order, without their being allowed the opportunity of explanation or defence. Among them was the Bandhab Samiti of Barisal in East Bengal which did splendid work during the Barisal famine of 1906-7, and whose objects were : (1) The promotion of indigenous industries ; (2) the settlement of disputes by arbitration ; (3) the promotion of village sanitation. The suppression of an association like the Bandhab Samiti has naturally created very widespread dissatisfaction. As regards the deportations, Mr. Buchanan said from his place in the House of Commons that they were based "solely" on the report of the police and we know from the judgement of Chief Justice Sir Lawrence Jenkins how unscrupulous the police in Bengal are, and how unsafe it is to accept their statements. In the case which Lala Lajpat Rai brought against the "Englishman" newspaper for /119/ stating that he had been deported for tampering with the loyalty of Indian sepoys, the Court held that the statement was "a malicious lie". The defence was that it was substantially the statement made by the Government in Parliament. Damages amounting in £1,000 were awarded to Lala Lajpat Rai. All these repressive measures have intensified the excitement and unrest. To mix up coercion with conciliation is to neutralise the good which conciliation may produce by the unhappy leaven of coercion.

I would suggest the following remedial measures :—(1) That the partition of Bengal should be modified. It is the root-cause of the unrest in Bengal, and, as Mr. Gokhale has observed, the unrest of Bengal means the unrest of all India. I may here point out that the Punjab was tranquillised by the redress of a local grievance—*viz.*, the vetoing of the Colonisation Bill

by the Viceroy. (2) That the policy of repression should be abandoned and those who have been deported restored to liberty. The Indian public deplore the recent tragedy but they earnestly hope that it will not prejudicially affect the case of the deportees. /120/ (3) That the Government should observe the most rigid impartiality as between race and race and creed and creed. This has always been the strongest bulwark of British rule in India. Any suspicion on the part of the people that this policy has been departed from, would be a source of serious administrative embarrassments and of deep disappointment to a large class of His Majesty's subjects. (4) That a steady advance should be made towards the fulfilment of the pledges given in the Queen's Proclamation in the matter of the appointment of Indians to offices on trust and responsibility. /121/

Daily Chronicle

BOOK REVIEW

The Swadeshi movement in Bengal, by Sumit Sarkar. New Delhi, People's Publishing House, 1973. Rs. 50/-

AT present the word Swadeshi sounds distant and hollow. The craze for 'foreign' goods and gadgets seems to be ungovernable. It is meet that historians should write books on the past Swadeshi experiments.

A recent and important contribution to the historiography of the movement is Sumit Sarkar's book. The work is a comprehensive survey of the Swadeshi movement. The author has collected information from many sources; evidently he belongs to the school which respects the value of literary evidence. The historical vision of most of the Cantabs and Oxonians seldom goes beyond the archival stacks. Events in Bengal have attracted the attention of many 'Western' and Soviet scholars. Their language is perfect. But their knowledge of Bengali language and literature is rather poor. Consequently their works are unimpressive. History does not live by 'methodology' alone.

The word Swadeshi sounds holy. The association of this word with godliness often leads to various misconceptions. The traditional historical accounts of the movement are often characterized by devotion for the Swadeshi leaders. The Swadeshi ideals have been described in glowing terms. The Swadeshi activities have been described in glowing language. The Swadeshi trials and tribulations have been delineated in a manner calculated to rouse in the reader's mind a glowing admiration for the heroes. In this sort of historiography the Bengali *genius loci*, wrongly interpreted as 'Bengali nationalism', shines in a flare that is apparently brilliant but really transitory. The time has come for balance in judgment.

No serious student of the Swadeshi movement can, however, be oblivious of its historical significance. Sumit Sarkar has

summed up the positive results of the movement in Chapter Ten of his book. These were

1. "the growing conviction that British and Indian interests were irreconcilable" ;
2. "the associated confidence in India's potentialities" and "making of Swaraj a realisable goal" ;
3. "the first dim awareness of worldwide anti-imperialist and socialist movements."
4. "efforts to promote the autonomous development of national life through Swadeshi industries and crafts" ;
5. "boycott of foreign goods, generalised step by step into a programme of passive resistance, anticipating virtually in every detail (minus the nonviolence dogma) the techniques of Gandhian non-cooperation" ;
6. "volunteer organizations" ;
7. "labour unions" ;
8. development of new techniques of mass-contact ;
9. the growth of "genuine pan-Indian thinking" ;
10. impressive outcrop of songs, poems, plays and jattras ;
11. development of new art-techniques and forms ;
12. impetus to scientific investigations.

A movement which produced so many good results cannot be lightly treated. Sumit Sarkar has focussed light on the event from all possible angles. On a small canvas he has been able to draw a big and multi-coloured picture. The dark and yellow colours have also been profusely used. A number of facts which were unknown to or neglected by the former historians of the movement have been revealed. Sarkar's Marxist approach is refreshingly new. But the discovery of new facts and materials is more important than the approach. R. C. Majumdar seems to have considered the Swadeshi movement as a mass-movement. But he never makes any attempt at delving deep into the nature of the leadership of the movement. Sumit Sarkar makes a close scrutiny of the 'class-composition', the basic ideas and aims, and the economic background of the leadership. This sort of close scrutiny is found in Marx's *Germany: Revolution and Counter-Revolution*, *The Class Struggles in France*

1848-50 ; and the famous *The Eighteenth Brumaire of Louis Bonaparte*.

The most interesting was the fact that the Swadeshi movement, with its numerous shortcomings, could produce so many good results. The antipartition and the Swadeshi movements originated in Calcutta. Calcutta was never particularly interested in the moral and material progress of East Bengal and North Bengal.

The *bangal* native of East Bengal was ridiculed in Bengali novels, plays, satires and lampoons. Very few of the big and small zamindars of Calcutta who had acquired estates in East and North Bengal were interested in promoting the welfare of their *bangal* and Muhammadan tenants. In 1901 Rabindranath Tagore established an educational institution at Santiniketan. What measures did he or his brothers take for the spread of education among the *ryots* of the vast Tagore-estate at Shilaidaha ? Why did Rabindranath not write a single story or poem on the subject of the miserable life lived by one of his numerous Muhammadan tenants ?

To Calcutta came the upper-caste Hindu youth from the distant villages and towns of East Bengal in search of higher education and job. The big private colleges of Calcutta were full of *bangal* students. Sarkar quotes Kaji Abdul Odud and other authorities to show that there was cultural integration on popular levels. The integration was patchy and nebulous. East and North Bengali culture was in many respects different from what Grierson described as 'Calcutta civilization'. (G. A. Grierson, *The Modern Vernacular Literature of Hindustan*, 1889, p. xxiii) After neglecting East Bengal and North Bengal for nearly a century the 'elite' of Calcutta suddenly conceived a tremendous affection for their *bangal* brothers and sisters !

Sumit Sarkar criticizes the recent attempts to "interpret nationalism as being no more than a rationalisation of selfish and narrow status interests." (p. 510) Status interests may or may not be the fundamental basis of nationalism. Here we will not quibble over approaches or definitions. But it is interesting to note that Sumit Sarkar does not seem to be

totally opposed to the explanations of 'Bengali' patriotism proffered by such 'Western' historians as Anil Seal and J. H. Broomfield. Sarkar has not neglected the question of status. He is fully aware of the fact that the problems of unemployment and higher education were very acute when the antipartition movement was launched. To the factors stated by Seal and Broomfield Sarkar merely adds "the sense of unity among the Bengali-speaking people" (p. 22), "the cumulative effect of racial discrimination" (p. 24) and the knowledge that poverty was caused by British exploitation (p. 25).

The idea that the patriotism of the *baboo* sprang from his chagrin still remains incontestable. Since the hectic days of the so-called Mutiny, the *Sahibs* had been very unkind to him. The Bengali 'elite' had expected that their infamous loyalty during the Mutiny would be highly appreciated. They had hoped that they would be given prizes and medals for it. But they saw that the *Sahibs* were nestling close to the native rulers and growing considerably cold towards the Bengalis. This sort of British perfidy roused the ire of the educated Bengali Hindus, whose adoration of the 'virtues' of British rule was suddenly and quickly transformed into a great abhorrence of the *Sahibs* and their incomprehensible mentality. During the sixties of the Nineteenth Century the Bengali Hindus suddenly grew conscious of their 'Aryan' antecedents, of their past glories, of their present misery, of the manifold iniquities of the British system of administration. The suddenness of the dawn of consciousness was amazing. Later on Curzon's insufferable and foolish arrogance aggravated the inflammation. The *baboo* of Calcutta and his relatives in East and North Bengal, therefore, decided to teach Curzon and his bureaucrats a lesson. And they launched the antipartition movement with which Swadeshi was integrally connected.

One may say that this explanation is too simple to be acceptable to serious scholars. But just look at the facts. Many Bengali traders pursued their respective trades in Assam. Many East and North Bengalis pursued their respective professions in many other provinces of India. (Vide, *Banger*

Bahire Bangali, by J. M. Das). It mattered little to the educated Bengali if East Bengal was added to Assam. The so-called economic factor behind the antipartition movement was a chimera. After all the Bengali *baboo* was a professional *bhadralok* who had almost nothing to lose if East Bengal was ceded to Assam. Such projected cession posed no insuperable problem for his profession. The Bengali language of the 'elite' was, and still is, the language of Gangetic West Bengal. Some members of the Calcutta 'elite' were also inordinately proud of the culture of Gangetic West Bengal. Nagendranath Basu, *pracyavidya-maharnava*, once tried to prove that Vikramapura, capital of Vallala Sena, was located in a tiny, forgotten village of Nadia. Hemendraprasad Ghosh wrote on the *pracyavidya-maharnava*'s stunning discovery a bantering doggerel! (*Vikrampur*, Bengali journal, Vaisakha, B. E. 1322, p. 44). Nobody was particularly afraid of the contamination of the East Bengali patois by Assamese. Then again, the Hindu leaders invented a purely *Hindu* political slogan which was hardly designed to attract the Muhammadans who formed the bulk of the population of East and North Bengal. Curzon and his cohorts often referred to 'Bengali' nationalism. If it was nationalism at all, what sort of nationalism was it? It had no recognizable economic background, excepting the growing awareness among the educated Bengalis of the harmful effects of British exploitation. The addition of East Bengal to Assam was not calculated to effect the ruin of the Bengali zamindars, some of whom had estates in Orissa, Bihar and U. P. The partition was not designed to deflect the rush of high-caste Hindus of East Bengal from the direction of Calcutta towards Dacca or Gauhati. Its cultural and linguistic background was weak because East Bengali culture was in many respects different from the prevailing 'Hindu civilization' of West Bengal and Calcutta. The political imagery which was used by the leaders of the antipartition and Swadeshi movements militated against certain precepts of Muhammadanism, which was the religion of the majority in East and North Bengal. The anti-partition and Swadeshi movements were launched by people

whose way of life was entirely different from that of the 'commonalty of the realm'. Few of the leaders were ready to forge a durable and broad link with the masses. To this unreadiness Sumit Sarkar ascribes the waning of the movements.

From the great mass of documents analysed and assessed by Sumit Sarkar the facts stated above emerge with remarkable vividness. Some historians have made much ado about the positive aspects of the contemporary literary movement. But Sarkar says that it was, in the main, a movement of the educated Bengali and its significance was not realized by the illiterate masses. (Vide, Summary) R. C. Majumdar tries to prove that the Swadeshi and the antipartition movements were supported by all classes of people. The zamindar supported it. The lowly washerman supported it. Even the Muhammadans supported it. But he never says why this general support was short-lived. He blames the contemporary riots on Salimulla of Dacca and the Muslim fanatics. He never deigns to say if the Hindus, too, might be responsible for communal tension.

The cult of the Mother, *Bhavani-mandir*, *Sivaji-utsav*, *Virastami*, the frequent use of the double meaning word 'Mleccha' by such distinguished leaders of the movement as Upadhyay Brahmabandhav and Kaliprasanna Kavyvisarada, the Tantrik mysticism of the Extremist ideals and practices — these things undoubtedly militated against the Wahabism of the time. And why did the Muslim fanatics often refer to the unbearable tyranny of the Hindu landlords in their frenzied pamphlets and folk-poems ?

The concept of Swadeshi was unfortunately too *Hindu* to be acceptable to those who looked down upon India as *Darul harb*, as the geographical expression of 'impurity'. The fanatic Mullas, no doubt, felt the heavy impact of British rule. By dancing to the tune of Curzon & Co. they could scarcely hope to remove their grinding poverty. But the transformation of India into *Darul Islam* was their primary aim. The leaders of the Swadeshi movement utterly failed to fathom the depth of the communal problem.

They also failed to cope with the factors which doubtless created confusion and made for political disunity. Their one common feature was Hinduism. Indeed the moderates were trying their utmost to develop cosmopolitanism. But '*Atma sakti*', Passive Resistance, and what Sarkar describes as 'Terro-rism' were inextricably connected with the Mother cult. None among the Hindu-Brahma leaders of the Swadeshi and revolution-ary movements had understood the weakness inherent in their religiosity. If the preaching of the Mother cult and the '*vrata*'s associated with it brought them one step nearer to the masses, they also removed them two steps backward from the Muhammadans among the masses. None among the Hindu-Brahma leaders had the courage to question the relevance of the ideals of Hindu revivalism. The fanatical Mullas were made to believe that the aim of the Hindu leaders was to establish some sort of *Hindu-raj*. In 1937, Wazed Ali, author of the famous Bengali saying, "*Sei tradition samane chaleche*", and President of the Literary Section of the Muslim Conference

"contrasted the life and work of two literary men—Bankim-chandra Chatterjee and Abdul Halim Sahrar—to illustrate his thesis that Muslims in India could not accept patriotism in the sense that Hindus did. The Muslims, said Wazed Ali, by accepting the ideal of patriotism would only be helping to deliver administrative power into the hands of the Hindus. Therefore Sahrar could not use his pen in popularizing the ideal of Patriotism. But Bankim could do it because he lived and thought and worked in an area inside the then Presidency of Bengal comprising Bihar, Orissa, and Bengal where the Hindus were about 70 per cent. of the population. The ideal end of his patriotism was the establishment of Hindu supremacy."

(*The Calcutta Municipal Gazette*, 23rd. Anniversary and Independence Commemoration Number, p. 44)

The glorification of the so-called *rishis*, and the constant harping on the ideals of Hindu revivalism were extremely impolitic. Only Dwijendranath Tagore, Rabindranath's eldest brother, once expressed his strong dislike of what he described

as '*Aryami*' or fake Aryanism of the Hindu-Bengali elite. (Vide, the biographical sketch of Dwijendranath Tagore in *Sahitya-sadhak Charitmala*)

No honest student of the Swadeshi movement can, however, aver that the undignified and often murderous fanaticism of the Mullahs was right and good.

A great merit of Sarkar's work is the delineation of the contemporary labour uprisings. But Sarkar has also adduced a good deal of evidence to show that most of the Swadeshi leaders were not really interested in developing that particular method of agitation. The Swadeshi spirit led to the establishment of Banga Luxmi Cotton Mills. Once the Banga Luxmi Soap, too, was much in vogue. But the views of the manager of the Mills on such vital subjects as wages and working hours were damnably reactionary. (p. 193). The nascent 'Bengali' capitalism, the child of British capitalist enterprise, undoubtedly drew sustenance from 'Swadeshi', as Bengali landlordism once did from such rebellions as the Indigo rebellion.

Sarkar's views with regard to 'terrorism' are hardly different from those of the scholars who think that the phenomenon was caused by unemployment and poverty of the *baboo*. Valentine Chirol once described extremism "as a strange combination of the darkest superstitions of Hinduism and extreme ideas of Western democracy." Sarkar thinks that the judgement "was not entirely unfair". (p. 73-74) Did not the *Bande Mataram* once hail the labour movement and also praise the caste-system?

Much importance has been attributed to the cultural movements. But according to Sarkar, "it would be extremely unwise to try to gauge the depth and importance of the movement itself by the richness of its cultural outcrop." (p. 501). But yet he has described the 'outcrop' in Chapters IV and VI. He has also summed up the cultural developments in the concluding Chapter. A Chapter has been devoted to National Education, the cause of which was ruined by Hindu sectarianism. No serious attempt was made to spread literacy.

Some aspects of the Swadeshi movement were quite repulsive

to men like Ananda Coomaraswamy, who is now made much of in certain circles. Coomaraswamy's views were discussed in the *Statesman* of September 22, 1909. An extract from the editorial essay is given below :

From A. Coomaraswamy's point of view the whole Swadeshi movement as at present directed makes not for the elevation, but for the degradation of India, not for restoring national life but for destroying all that gives any ground for hoping that India will one day proclaim her message to the West. "Go into a Swadeshi shop", Coomaraswamy writes, "you will not find the evidence of Indian invention. . .but will find every kind of imitation of the productions of European commerce, differing only from their unlovely prototypes in their slightly higher price and slightly inferior quality. . . The loss of beauty in our lives is a proof that we do not love India, we love suburban England, we love the comfortable bourgeois prosperity that is to be some day established when we have learned enough science and forgotten enough art to successfully compete with Europe in a commercial war conducted on its present lines. It is not thus nations are made."

Sarkar clearly states his preference for the Marxist approach, minus "the dogmatic oversimplifications alien to the spirit of its founders." (p. 512) The positive results of the Swadeshi movement have merely been catalogued in the Summary. Sarkar has considered a good number of facts, recorded in the works of other historians, in the light of his own idea. This makes the book rather wordy. There is no reference to Sitanath Tattvabhusan's account of the life and work of Sasipada Banerjee in the bibliography of the contemporary labour movements. (S. Tattvabhusan, *Social Reform in Bengal*, Calcutta, 1904). Yet the bibliography is excellent.

Department of History,
University of Burdwan.

R. K. CHAKRABARTY